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LAND USE PROGRAMS IN CANADA

ONTARIO

SEPTEMBER 1977

Cover Design:  
J. Lenning

E. Neville Ward  
Land Use Planning Branch  
Lands Directorate  
Environment Canada





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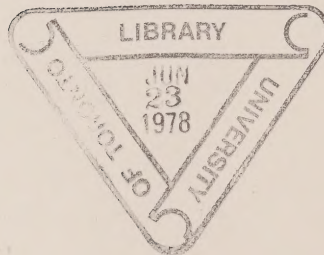
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LIST OF ABBREVIATIONS

|       |  |
|-------|--|
| ACORD | Advisory Committee on Regional Development     |
| ACRO  | Association of Counties and Regions of Ontario |
| AECL  | Atomic Energy Control Limited                  |
| AHOP  | Assisted Home Ownership Program                |
| AMO   | Association of Municipalities of Ontario       |
| ARC   | Agreements for Recreation and Conservation     |
| ARDA  | Agricultural Rural Development Act             |
| ARP   | Assisted Rental Program                        |
| CLI   | Canada Land Inventory                          |
| CMHC  | Central Mortgage and Housing Corporation       |
| CNR   | Canadian National Railway                      |
| CORTS | Canada-Ontario Rideau-Trent-Severn (Agreement) |
| COLUC | Central Ontario Lakeshore Urban Complex        |
| CPR   | Canadian Pacific Railway                       |
| EAB   | Environmental Assessment Board                 |
| EHB   | Environmental Hearing Board                    |
| FLDB  | Flood Land Development Branch                  |
| HOME  | Home Ownership Made Easy                       |
| IJC   | International Joint Commission                 |
| LHA   | Local Housing Authority                        |
| MAF   | Ministry of Agriculture and Food               |
| MBC   | Management Board of Cabinet                    |
| MCR   | Ministry of Culture and Recreation             |
| MEEn  | Ministry of Energy                             |
| MEAP  | Mineral Exploration Assistance Program         |
| MIT   | Ministry of Industry and Tourism               |
| MLC   | Municipal Liaison Committee                    |
| MNA   | Ministry of Northern Affairs                   |
| MNR   | Ministry of Natural Resources                  |
| MOE   | Ministry of the Environment                    |
| MOH   | Ministry of Housing                            |

|        |   |
|--------|---|
| MR     | Ministry of Revenue   |
| MTARTS | Metropolitan Toronto and Region Transportation Study              |
| MTC    | Ministry of Transportation and Communications                     |
| NIP    | Neighbourhood Improvement Program                                 |
| NPDC   | North Pickering Development Corporation                           |
| ODRP   | Ontario Downtown Revitalization Program                           |
| OEB    | Ontario Energy Board  |
| OEC    | Ontario Energy Corporation  |
| OHC    | Ontario Housing Corporation                                       |
| OHRP   | Ontario Home Renewal Program                                      |
| OLC    | Ontario Land Corporation  |
| OMB    | Ontario Municipal Board   |
| OMC    | Ontario Mortgage Corporation                                      |
| OTDC   | Ontario Transportation Development Corporation                    |
| OTAP   | Ontario Travel Association Program                                |
| PBS    | Parkway Belt System   |
| PFC    | Policy Field Committee  |
| PLUARG | Pollution from Land Use Activities Reference Group                |
| PMLC   | Provincial-Municipal Liaison Committee                            |
| PPB    | Policy and Priorities Board of Cabinet                            |
| ROMA   | Rural Ontario Municipalities Association                          |
| REEC   | Regional Economic Expansion Canada                                |
| RRAP   | Residential Rehabilitation Assistance Program                     |
| SLUP   | Strategic Land Use Plan   |
| TCR    | Toronto-Centred Region  |
| TEIGA  | Ministry of Treasury, Economics, and<br>Intergovernmental Affairs |
| TORPS  | Tourism and Outdoor Recreation Planning Study                     |
| UDIRA  | Urban Development in Rural Areas                                  |
| UTDC   | Urban Transport Development Corporation                           |

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*INTRODUCTION*

Land use planning in Canada is a complex process to which many government departments and agencies contribute. This report on Ontario is one of a series encompassing each of the provinces. When completed, the series will present an overview of the land use planning processes in Canada at the provincial level.

In this report, the roles of the provincial departments engaged in land use planning and/or land management are outlined and the pertinent legislation identified. Also, provincial concerns regarding land use and land ownership are discussed. Data are presented in both metric and non-metric forms.

The format of this report is as follows. Chapter II provides an historical look at land uses in Ontario. Chapter III describes the provincial committees that are involved in land use planning and outlines relationships among these committees and their various programs. Chapter IV outlines environmental programs. Chapters V to XII discuss current provincial government programs, relevant legislation, and trends within various land use sectors. These sectors are urban settlement; agriculture; forestry, recreation; wildlife; energy resources, mining and quarrying; transportation and communications; and water. Chapter XIII offers conclusions and comments.

The information presented in this report is based on discussions with the provincial authorities and on reports that were made available to the author. Since the land use planning process is in a continuous state of flux and refinement, the description of its state in Ontario in this study can be considered accurate only to September, 1977.

*HISTORICAL CONTEXT*

Ontario, the second largest Canadian province, covers a total area of 412,500 sq. mi. (1,072,500 sq. km.) of which 344,000 sq. mi. (894,400 sq. km.) are land. Table I identifies the surface land uses in Ontario. Productive forest land dominates with nearly 48 per cent; agricultural land uses account for about 7 per cent.

A description of the physiography of Ontario is outlined. The land uses and settlement patterns of the nineteenth and twentieth centuries greatly influenced Ontario's current land use patterns. A brief description of early settlements and land uses in Southern and Northern Ontario are provided, followed by an historical glimpse of various land use sectors. These sectors are urban, agriculture, forestry, and mining. The urban sector includes an historical discussion of planning and development. Land ownership is also discussed in this chapter.

PHYSIOGRAPHY\*

The physiography of Ontario reflects land use and settlement pattern variations. The Precambrian Shield dominates the province areally. It is a rugged upland which occupies much of Northern Ontario and which protrudes into Southern Ontario to meet the St. Lawrence River east of Kingston. This shield is a region of shallow soils, sparse agricultural settlement, dispersed urban centres, and extensive forests. The Palaeozoic lowland dominates Southern Ontario with fertile soils and intensive agriculture, dense transportation and communication facilities, and a concentration of manufacturing and urbanization.

The present Ontario landscape has been largely shaped by glaciation. Glaciers scraped off much of the unconsolidated material in the north and deposited it in the south to create a large variety of landforms.

---

\* Studies in Canadian Geography, Ontario, Chapter I



TABLE 1

SURFACE LAND USES IN ONTARIO

## LAND USE

|                               | <u>Sq. Mi.</u> | <u>Sq. Km.</u> | <u>Ac.(x10<sup>3</sup>)</u> | <u>Ha.(x10<sup>3</sup>)</u> | <u>PER CENT<br/>Total</u> |
|-------------------------------|----------------|----------------|-----------------------------|-----------------------------|---------------------------|
| Total Area (1)                | 412,500        | 1,072,500      | 264,000                     | 105,600                     | 100.0                     |
| Land Area                     | 344,000        | 894,400        | 220,000                     | 88,064                      | 83.5                      |
| Water Area                    | 68,500         | 178,100        | 43,840                      | 17,536                      | 16.5                      |
| Agricultural Land<br>Uses (2) |                |                |                             |                             |                           |
| Improved Farmland             | 16,977         | 44,140         | 10,865                      | 4,346                       | 4.9                       |
| Unimproved Farm-<br>land      | 7,967          | 20,714         | 5,099                       | 2,040                       | 2.3                       |
| Productive Forest<br>Land (3) | 164,000        | 426,400        | 104,960                     | 41,984                      | 47.7                      |
| Parks                         |                |                |                             |                             |                           |
| Provincial (4)                | 16,448         | 42,765         | 10,527                      | 4,211                       | 4.8                       |
| National (5)                  | 700            | 1,820          | 448                         | 179                         | 0.2                       |
| Other Land                    | 137,908        | 358,561        | 88,261                      | 35,304                      | 23.4                      |

Sources: (1) Rounded Figures, Canada Year Book, 1972, p. 28.

(2) Rounded Figures, Agriculture Ontario, 1971 Census of Canada, Catalogue 97-707, Vol. IV - Part 2 (Bulletin 4.2-2), p. 2-2.

(3) Ontario Ministry of Natural Resources, Proposed Policies for Strategic Land Use Plan, Discussion Paper, February, 1975, p. 3

(4) Ibid, Rounded Figures

(5) Rounded Figures, Canada Year Book, 1972, p. 55.

The relief of Northern Ontario is modest with a few isolated rugged sections such as the north shore of Lake Superior. The shield of Southern Ontario comprises about one-third of the total area of peninsular Ontario and is characterized by protruding rock knobs and pockets of sand, silt, and clay. Land uses in the southern shield are primarily recreation and forest with widely dispersed settlement and no large urban centres. The Niagara Peninsula is the most dominant topographic feature of Southern Ontario and extends from Niagara Falls to the northern tip of the Bruce Peninsula and Manitoulin Island. It is the site for the 240 mi. (400 km.) Bruce Trail.

Limestone plains flank the shield in eastern and central Ontario and are characterized by shallow and excessively stony soils. Extensive areas in western and central Ontario have till plains with drumlin fields and eskers. Clay plains with relatively flat relief and generally heavy-textured soils occur in the Toronto region, the Niagara Peninsula, and southwestern Ontario. Sand plains are located along Lake Erie, west of Lake Simcoe, in eastern Ontario, and on the shield.

### SOUTHERN ONTARIO

The first white settlers in Southern Ontario, south of the French and Mattawa rivers, were United Empire Loyalists who began settlements in 1775. By 1825, the provincial population was 152,000\*. Alienation of Indian claims by the Crown opened land for settlement. Land surveys established townships, concessions, and lots. These surveys preceded occupation and thus the subsequent landscape patterns of rural Ontario were established. Farmsteads were aligned along the fronts of concessions, fields and properties were rectangular in shape, and road allowances were at regular intervals.

Occupance occurred on all types of land surface and was mainly dictated by accessibility and government direction. As settlements matured, factors such as soil and drainage conditions, availability of fresh water, nearness to neighbours, and access to roads and other towns increased in importance.

---

\* Ibid, Chapter 2.

By 1850, the population had grown to 952,000. The majority of people continued to live along the St. Lawrence River, Lake Ontario, and in the Niagara Peninsula. The extension of trunk roads such as north from Toronto and west from Hamilton caused an expansion of population to the interior of the province. Navigational improvements and a growing population were accompanied by increases in the production and export of wheat and timber.

The population in 1881 was 1,920,000. The movement northward had begun and the area between Lake Huron and Georgian Bay and the Canadian shield was being populated. Two Ontarios were being formed with the Canadian shield providing the divide. The south was rich and expanding with prosperous farms and growing cities. In contrast, the north was dominated by forests and had poor farms and sparse settlement.

#### NORTHERN ONTARIO

The first settled lands were south of Georgian Bay, namely, Bruce and Grey Counties. Between 1851 and 1861, the populations of these counties grew from 2,800 to 28,000, reaching 65,000 in 1881. The government had to provide special inducements to attract settlers to the shield. As in Southern Ontario in the 1800s, roads were built, free land was provided to immigrants, and land was sold to a settlement company. A railroad reached Gravenhurst in 1875.

Population growth in the north was accompanied by improved transportation and a growing lumber industry. Orillia, Bracebridge, and Parry Sound grew as a result of increasing timber sales. However, the rapidly growing timber industry caused the government to assess the land and protect it. The soils of the shield were thinner than in the south and timber resources were limited. Thus in 1893 Algonquin Provincial Park, 1,466 sq. mi. (3,812 sq. km.), was established to preserve and protect the land. Today, Algonquin Park is 2,910 sq. mi. (7,566 sq. km.) in area.

Improved transportation caused people to settle beyond Lake Nipissing and Georgian Bay in an area known today as 'Northern Ontario'. Settlements were scattered and grew in response to supplying timber and minerals. Mineral oriented centres such as Thunder Bay, Michipicoten, Sudbury, and Kenora grew at the end of the nineteenth century. Porcupine

developed around 1910. By 1900, Sault Ste. Marie was the industrial centre of the north. Its population increased from 2,000 in 1894 to 8,500 in 1902. Settlements spread westward with the building of the transcontinental railway. Thunder Bay, Kenora, and Fort Frances grew in response to markets in the USA.

People settled along the Quebec border in the "Little (Temiscaming) Clay Belt" in response to agricultural and lumber potential. This Belt was contained in the District of Nipissing to 1912 and Temiscaming from 1912 to date. The Great (Cochrane) Clay Belt was contained in the districts of Algoma, Sudbury, and Nipissing 1907-1912; Algoma and Temiscaming 1912-1922; and Cochrane 1922 to date. The Ontario government promoted agricultural settlement in this area. The Temiscaming and Northern Ontario Railway was begun from North Bay in 1902.

#### URBAN\*

The first Lieutenant-Governor of Upper Canada was John Graves Simcoe who was appointed in 1791. Under his administration, there were three levels of government below the provincial level, namely, township, county, and district. This was not a three tier system as each level was controlled by the provincial executive. The three levels formed three sets of independent territorial units with overlapping boundaries.

Additional settlement nodes were established after 1800. The more important of these nodes had their surrounding townships established as a new district. Such a new town was the seat of the Quarter Sessions and centre of other administrative functions. By 1840, there were 20 districts in Upper Canada. However, such districts did not represent a decentralization of central authority since the central government retained the same decision-making and executive functions. One level of government was fragmented into more divisions. However, by 1840, many districts had only one county with the same boundaries. This resulted from the partitioning of larger districts which had several counties.

The growing number of urban centres caused the government to grant town charters to major centres. In 1834, the largest city, Toronto, was awarded

---

\* Ibid, Chapter 6.



'self-governing' status. Smaller urban centres, communities of 30 houses or more gained limited corporate status. Thus the process of decentralization, begun in 1788 with the establishment of first districts, continued in the urban centres. However, in 1841, Upper and Lower Canada were reunited and a partial reversal of decentralization occurred. This union permitted a strengthening of the provincial financial base and increased social services. The 1841 Union resulted in expanded canal construction and improvements of roads, bridges, and harbour facilities in areas remote from Toronto.

The 1841 Union resulted in centralization at the provincial level but local communities were decentralizing. The district councils became more representative in 1842 when such councils were composed of delegates elected by each township and presided over by a warden.

The principle of functional decentralization was maximized in 1849 with the passage of the Municipal Corporations Act or Baldwin Act. Local government and decision-making functions were allocated to townships through township councils. The old districts were abolished and replaced by county councils which had restricted duties and powers and were composed of representatives from township, village, and town councils, but not city councils.

The Baldwin scheme made separate provision for urban settlements. A four-level structure related to the rural (township-county) units. Cities of 15,000 population and over had separate local self-government analagous to counties. Towns (over 3,000 people) and villages (over 1,000 people) had one or two delegates on county councils. The 'Policy Village', no stated minimum population, was the lowest urban structure and had no representation on township or county councils.

The abolition of the old 20 districts resulted in the establishment of almost twice as many counties. Most counties represented areas of established or growing towns and cities. In anticipation of settlement, the counties of Grey and Bruce were established as were counties in the Canadian shield.

On the shield, the county system could not function since the threshold size

of 15,000 was unattainable in a reasonable land area. Thus quasi-counties termed districts, different in political context from the old term, were formed. However, these territorial districts provided no administration or services. Urban settlements with populations between 1,001 and 3,000 people (villages) were given town status, thus entitling them to their own magistrates. This pattern continued north of the shield into the former Hudson's Bay Company lands acquired by Ontario between 1874 and 1912.

The Railway Guarantee Act of 1849 stimulated railway construction which enhanced urban growth and the development of factory industries. Railway expansions in the 1870s and 1880s affected land settlement patterns by providing a mechanism by which people could leave the land. Towns grew in size as people perceived better economic opportunities. Farming expanded in Canada's interior plains. Many Ontario rural centres attained maximum population between 1881 and 1901. They have since been declining in absolute numbers. The Ontario government faces this problem even today.

The increasing demands of urbanization in the twentieth century have caused more government centralization. Townships were fixed in size and had revenues largely based on real property taxes. The large outmigration of people and increasing urban demands caused the province to establish special boards and remove powers from the townships. Such bodies as public utilities, sanitation, health, parks, and public libraries were not controlled by township councils. Further control of municipalities was exercised in 1932 with the creation of the Ontario Municipal Board (OMB). The OMB can veto land use and development schemes.

The influence of towns and cities on rural Ontario was greatly increased after 1914 with the invention of the motor car. New forms of local government were needed as lifestyles of urban and rural residents merged. Evidence of this merger are the cottage developments in the shield area. Non-resident city dwellers have gained representation on township councils and are affecting land use planning decisions related to urban life styles.

Recentralization of Ontario to offset the obsolescence of the Baldwin system can be seen in the creation of the Municipality of Metropolitan Toronto. This was done in 1954 and involved the co-ordination of the City of Toronto, five

highly urban townships, and seven towns and villages. Metro Toronto was restructured in 1966 from the 12 municipal units to the City of Toronto and five boroughs.

The planning of water use and conservation illustrates another example of recentralization. The Conservation Authorities Act, passed in 1946, provided for the co-ordination of rural and urban municipalities within watershed boundaries.

#### PLANNING AND DEVELOPMENT\*

The first planning act in Ontario was the City and Suburbs Planning Act of 1912. In 1937, the Planning and Development Act was enacted. This act applied to villages, towns, and cities and surrounding areas within three miles of a village or town and five miles of a city. It provided for the adoption of a general plan by a municipal council or alternately by a town planning commission appointed by it.

The Department of Planning and Development was established in 1944 under an Act of the same name. This act set some criteria for Ontario's present Regional Development Program. Included is the co-ordination of Ontario ministries and agencies, other levels of government, and the private sector.

The present Planning Act had its beginnings in 1946. The 1946 Act replaced the 1937 Planning and Development Act and greatly changed the planning system and planning tools. The 1946 act contained the following provisions,

- establishment of planning areas,
- duties of Planning Boards,
- formulation and approval of official plans,
- conformity provisions (a 2/3 majority of Council),
- acquisition of land for planning purposes,
- establishment of subdivision control areas, and

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\* Thoman, R.S., Design for Development in Ontario: The Initiation of a Regional Planning Program, Toronto, 1971, 111 pp. and Ontario Economic Council, Subject to Approval, Toronto, 1973, 175 pp.

- municipal housing development provisions.

The current Planning Act, administered by the Ministry of Housing, has five major activities, namely,

- the creation of planning areas and boards;
- the preparation, adoption, and amendments to official plans;
- urban renewal programs;
- the division of land; and
- the adoption of zoning, building, and housing standards bylaws plus the provision for minor variations to zoning bylaws.

Municipal planning is discussed in detail in Chapter V of this report.

Regional development in Ontario began in 1966 under the Design for Development program. Following is a summary of regional development in Ontario between 1966 and 1976.\*

The following is a skeletal outline of the major government policy statements and reports which came under "Design for Development".

- |                |   |
|----------------|---|
| 1966, April    | - The original policy statement, <u>Design for Development</u> established the regional development and planning program.   |
| 1968, June     | - <u>The Metropolitan Toronto and Region Transportation Study (MTARTS)</u> , initiated in 1962 to devise a transportation program for the Toronto region underscored the need for regional planning and presented four "regional goals plans" as alternatives. Goals Plan II, with some modifications, provided the main features of TCR. |
| 1968, November | - <u>Design for Development, Phase II</u> linked the restructuring of local government in Ontario to regional economic development. The two programs were at once distinct yet overlapping.   |

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\* This summary is from Food for the Cities, pp. 22 and 23.



1970

- Design for Development: The Toronto-Centred Region Plan, May 1970, was the first plan to emerge from the regional development program. Note that the present Central Ontario Region, made up of the 18 counties and regions centred on Metro Toronto, is larger than the original TCR area. (It is one of the five current economic development regions in Ontario).

In brief, the TCR concept envisaged three zones:

Zone 1 was the Lakeshore Urbanized Area, an area of intense growth along Lake Ontario.

Zone 2, the Commutershed area to the north of this band was to be preserved mostly for agriculture, recreation, and open space; a small urban axis extending northward from Metro Toronto along Yonge Street was proposed.

Zone 3 was the peripheral area beyond easy commuting range of Metro; growth would be encouraged in selected areas to relieve the development pressure in the urbanized area. The two main growth areas would be Barrie-Midland and Port Hope-Cobourg.

1971

- Design for Development - A Status Report on the Toronto Centred Region contained some modifications of the original concept as a result of public feedback, but reaffirmed most of the original proposals. A status report was also done for the Northwestern Ontario Region which made minor modifications resulting from public and written discussions. By April, 1972, the so-called Phase 1 reports for all ten economic regions were completed.



- 1972 - Design for Development - Phase III was presented by Premier Davis. It attempted to link provincial-municipal fiscal reform with regional development and regional government in a "triangle of interrelated policies". This document introduced a new system of planning regions for Ontario, reorganizing the system of ten economic regions which had been adopted in 1954 into five larger units (Eastern Ontario, Central Ontario, Southern and Western Ontario, Northeastern Ontario, and Northwestern Ontario).
- 1973 - The Parkway Belt West, June 1973, was a major structural element of the TCR concept. The Parkway Belt was intended to serve four purposes: to act as an urban separator between the various lakeshore communities; to provide a transportation and utility corridor; to provide a land reserve for the future; and to keep land for open space and recreation facilities. The Draft Plan was completed in January, 1976. The Hearing Officers' Report on the Parkway Belt West, February, 1977, has recommended acceptance of this plan with some changes.
- 1973 - The Niagara Escarpment - designation of the 2,000 sq. mi. (4,200 sq. km.) Niagara Escarpment Planning Area, a corridor stretching from Queenston to the tip of the Bruce Peninsula, with the basic goal being the preservation of this unique landscape feature. This policy statement set out the objectives and planning framework. It also established interim development controls which are intended to limit non-conforming development initiatives.
- 1974, December - COLUC Task Force Report - In 1973 a special task force was established to refine the TCR concept for the central parts of the region into a more specific structural plan.

The Central Ontario Lakeshore Urban Complex (COLUC) report showed some 23 urban centres in a roughly triangular area, with most of these grouped along an east-west axis from Hamilton to Oshawa, and to a lesser extent along the north-south Yonge Street axis. Five centres were seen as forming the framework: Hamilton, Mississauga, Toronto, Oshawa, and North Pickering. The centres along the lakeshore are in two tiers, about 5 mi. (8 km.) apart and separated by the parkway belt. Toronto was to remain the prime centre of the region. The population for the COLUC area when fully developed, between the years 2000 and 2050, was projected at between six and eight million people.

- 1975                    -   Northumberland Task Force Report of a provincial-municipal task force made suggestions as to how development should proceed in Northumberland County.
  
- 1976                    -   Simcoe-Georgian Task Force Report - the results of a provincial-municipal task force which made recommendations as to future growth in the Barrie area.
  
- 1976                    -   Design for Development - Ontario's Future: Trends and Options, updated the 1966 White Paper, reaffirming and refining the original policies.
  
- 1976                    -   Design for Development - Toronto-Centred Region Program Statement reaffirmed the government's resolve "to proceed purposefully to carry out its planning policy for the Toronto-Centred Region".
  
- 1976                    -   Design for Development - Durham Sub-Region Strategy contained the government's suggestions for increasing development to the east of Metro in the Region of Durham.

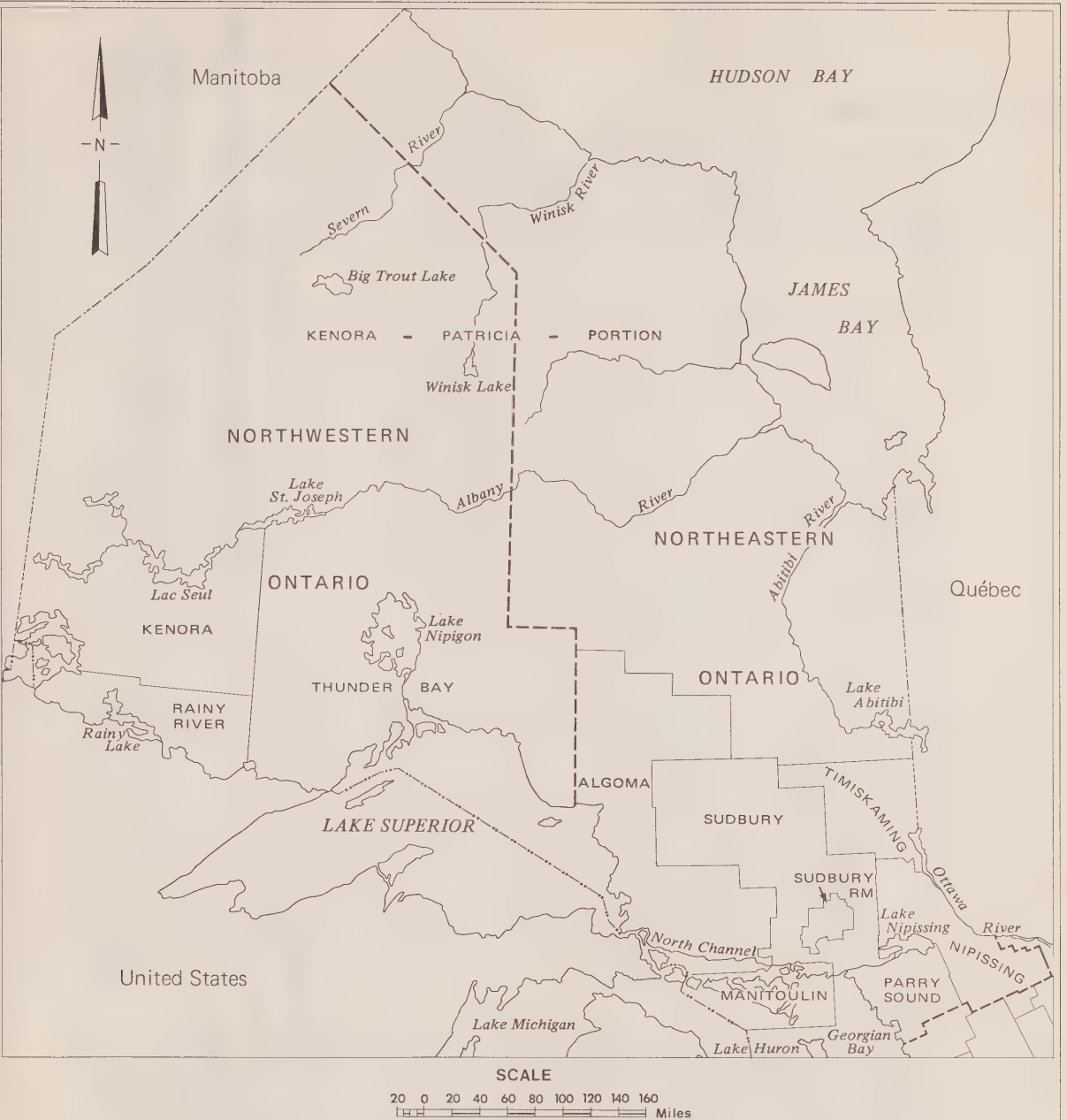
The above select chronology offers a skeletal outline of the regional planning program. The evolution of regional development in Ontario, which can be traced back to the post-war period, is not reviewed in detail. Several instructive accounts provide a detailed account of the evolution of regional development in Ontario.\*

Between 1966 and 1976, the Design for Development had two major regional development thrusts, namely, to disperse economic growth and population to the slower growth regions of Ontario and secondly to contain sprawl by structuring growth in the Toronto-Centred Region (TCR). In 1977, these thrusts are being re-evaluated and refocused. Ontario has a hierarchical planning system - local or area municipal plans are to complement and support regional plans, under regional governments, which in turn are to conform to provincial plans for the five TEIGA planning regions; see Maps 1A and 1B. However, except for the TCR concept, there are no provincial regional plans to which lower-tier plans can focus.

The thrust of provincial planning in 1977 is towards strategies rather than plans. Provincial officials regard strategies as dynamic and short-term, whereas plans are regarded as static, long-term, and more remote from detailed land use and transportation planning. A strategy concentrates on economic analysis, whereas a plan is directed at spatial patterns. The current policy planning route is to first set out objectives for programs affecting development, such as has been done for agriculture, and then proceed to define planning responsibilities.

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\* For example, see Richard S. Thoman, Design for Development in Ontario op. cit.; The Tail of the Elephant: A Guide to Regional Planning and Development in Southern Ontario (Toronto: Pollution Probe, May 1974); Lionel D. Feldman, Ontario 1945-1973: The Municipal Dynamic (Ontario Economic Council, January, 1974); Norman Pearson, "Regional Government and Development", in Donald C. McDonald, ed., Government and Politics of Ontario (Macmillan Co., 1975); Regional Planning in Southern Ontario: A Resources Document (Social Planning Council, 1976). Also see the Design for Development documents themselves, which contain summaries of previous policies and "accomplishments".



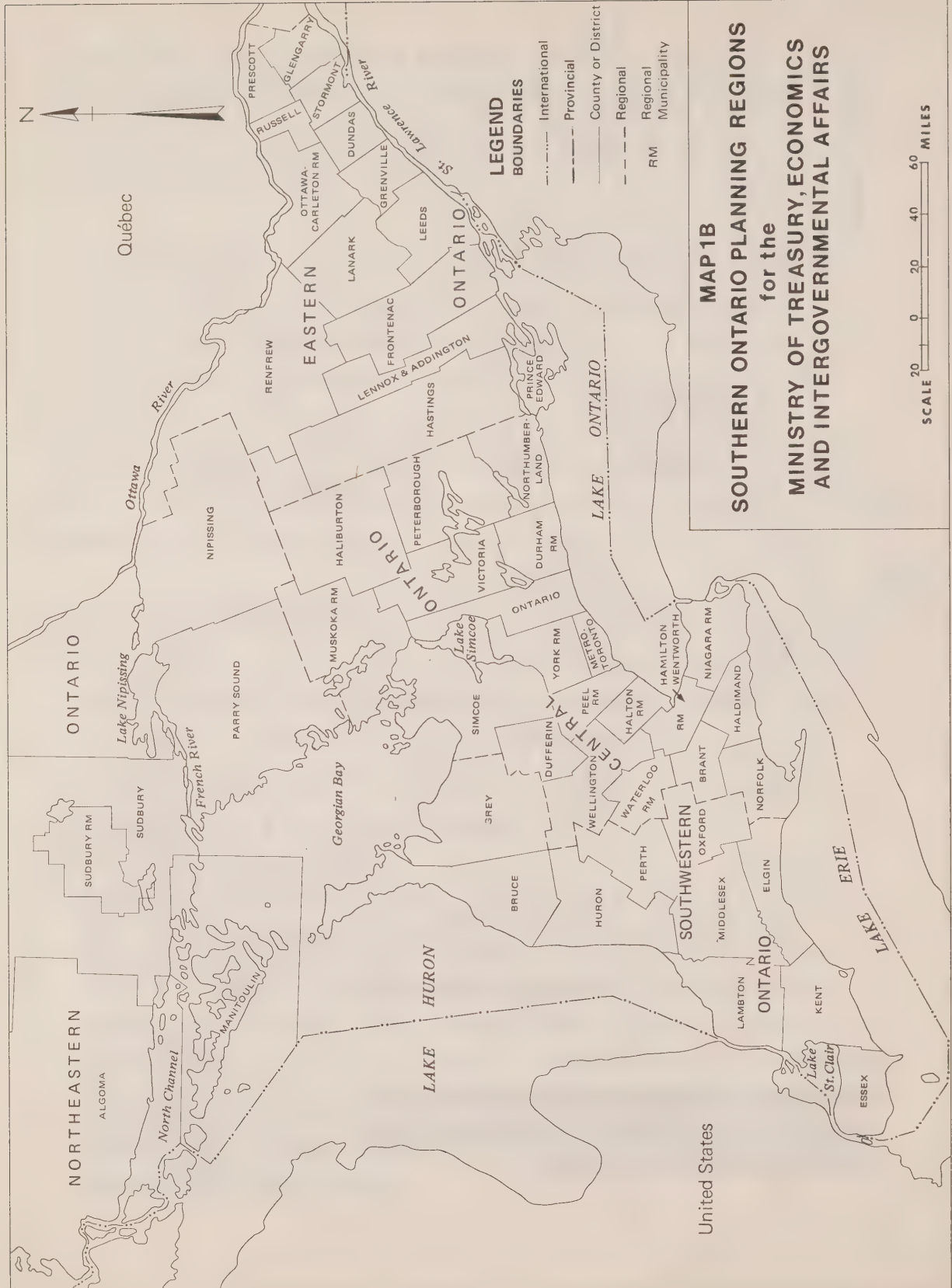
## MAP 1A

### NORTHERN ONTARIO PLANNING REGIONS FOR THE MINISTRY OF TREASURY, ECONOMICS AND INTERGOVERNMENTAL AFFAIRS

#### LEGEND

##### BOUNDARIES

- International
- - - - - Provincial
- \_\_\_\_\_ County or District
- Regional
- RM Regional Municipality





## AGRICULTURE

European settlement commenced in the late eighteenth century. Farming was the major occupation. As the population grew and navigation improved, the production and export of wheat increased into the 1850s.

Wheat acreages and production continued to grow in the 1860s and 1870s. In 1870, 85 per cent of all Canadian wheat came from Ontario. Production was maximized in the early 1880s when total yields were double those of 1861. In 1881, about 23 per cent of the Ontario cropland was in wheat, primarily the spring variety. However, continuous production without fertilization caused yields to decline; but the de-emphasis of wheat was slow. Not until the opening of the Canadian west did wheat decrease in importance in the provincial economy. Ontario's production of Canada's total wheat crop dropped from 85 per cent in 1881 to 50 per cent in 1891 to 15 per cent in 1911.

The Reciprocity Treaty of 1854 between Canada and the USA formalized agricultural trade. Railways made the urban centres of the eastern USA very accessible to Ontario's agricultural products. The American food demands encouraged mixed farming in Ontario. The St. Lawrence River and Lower Lakes ports were collecting points for meat, dairy, and poultry products plus wheat, barley, oats, fruits, and vegetables. The livestock industry grew rapidly, accompanied by increases in fodder crops.

In the 1850s, Ontario farming began to assume modern characteristics through farm practices and the use of machinery. The farmer gained prosperity by satisfying the food demands of urban populations. A well organized system of mixed farming existed. By 1880, the general pattern of modern farming had been established. Corn, fruit, vegetables, barley, and wheat commenced to be concentrated in certain districts. Livestock continued to increase in importance, accompanied by expanding acreages of fodder crops. Mixed or general farming was typical and farmers were not yet specialized.

After 1880, new crops such as sugar beets and soybeans appeared. A new tobacco belt was established in Norfolk County. Market gardening began on cleared marshlands. This pattern of mixed farming and specialized crops serving an expanding home market remained until the 1950s and 1960s. Between 1850 and 1950, farming was a quite stable occupation.

The total number of census farms has been decreasing since 1950. Between 1961 and 1971,\* there was a decrease of 21.9 per cent from 121,333 to 94,722. In 1961, 66.4 per cent of the improved land was under crops and 27.3 per cent under pasture. By 1971, the percentage of improved land under crops increased to 72.3 per cent while under pasture decreased to 21.5 per cent. The major reasons for this decrease have been urbanization, marginal farm land abandonment, and the merging of farms into larger units. The traditional family farm unit has experienced many pressures in recent years related to new demands for farm efficiency and larger farm units. Many farm incomes fall well below incomes in the urban and industrial occupation sectors. Farm incomes can be increased only through intensification and specialization of farming activities. The economy of the individual farm is not mixed but rather a specialization of dairying, hogs, beef, poultry, or fruit.

Agricultural activities as related to land use in Ontario are discussed in Chapter VI of this report.

#### FORESTRY

When the first Anglo-Saxon settlers reached Southern Ontario, the land was covered by dense forests, mostly broad-leaved trees. White and red pine stands were quite extensive on lighter soils. The lumbering industry augmented settlement growth in nineteenth century Ontario

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\* Ontario Statistics 1976, Volum 2, Economic Series, p. 541.

by requiring the building of mills, ports, and railways plus the improvment of streams.

Timber was the province's most important trade commodity in the first half of the nineteenth century. Between 1830 and 1850, the value of timber exports exceeded exports of agricultural products.

Increased settlement in Southern Ontario caused people to begin moving northwards to the Canadian shield as the lumber industry expanded. Transportation improved and in the early twentieth century white pine of the shield was sent south to other areas of Ontario and the USA. Lumbering encouraged the growth of such centres as Peterborough and Lindsay on the Trent River system and the Georgian Bay towns of Collingwood and Midland.

The timber industry resulted in the growth of a number of commercial and mill sites. Orillia grew in the 1850s as the gateway to the north. Bracebridge was the supply centre of the Muskoka region. Parry Sound was the timber centre east of Georgian Bay.

Continued expansion onto the shield led the government of Ontario to establish land policies which would protect the natural resources rather than promote unhindered use. As previously stated, soils of the shield were thinner than further south and timber resources were limited. Thus Algonquin Park was created in 1893.

From the shield area, people continued to move beyond Lake Nipissing and Georgian Bay into modern day Northern Ontario. Settlements were spotty and scattered along transportation lines. By 1900, the largest northern industrial centre was Sault Ste. Marie with its steel, pulp and paper, and sawn lumber industries. Further west, Thunder Bay, Kenora, and Fort Frances all grew with the coming of the transcontinental railway and lumbering. Lumbering was also important to the economy in the districts of Nipissing and Temiscaming along the the Quebec border.

In 1961,\* Ontario primary forest production represented 15.6 per cent of the national total of 3.2 billion cubic feet. However, by 1974, Ontario's share of the national total had decreased to 13.7 per cent. The 1973 Ontario inventory data showed that Ontario supplied 17 per cent of the Canadian total of merchantable softwoods and about 42 per cent of the hardwoods.

Forest activities as related to land use in Ontario are discussed in Chapter VII of this report.

#### MINING\*\*

Minerals discussed are copper and nickel, silver, gold, iron ore, zinc, and uranium. Mining in Ontario began about 1800. Most nineteenth century Ontario mineral production consisted of building materials and some petroleum products.

Copper was discovered near Sault Ste. Marie at Bruce Mines in 1846 but the mines closed in 1876. Nickel was first sighted at the Wallace mine on Lake Huron in 1848. Sudbury grew as a result of the CPR which reached this town in 1883 and a rock cut revealed a deposit of copper sulphid. This deposit developed into the copper-nickel Murray mine which began production in 1889. By 1900, the Sudbury copper-nickel deposits were assured of a financially beneficial future by the discovery in 1892 of the copper-nickel separation process and also the discovery of nickel as an alloy of hardening steel. The Depression resulted in low nickel production and by 1932 only two companies were operating in Ontario, the International Nickel Company (INCO) and Falconbridge Mines. Nickel output has risen since 1933 and has been the mainstay of Ontario's metal mining industry with a value of between 28 and 45 per cent of the provincial total. Copper currently represents almost 25 per cent of the total value.

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\* Ibid, p. 589.

\*\* Ontario Economic Council, Exploitation of Ontario Minerals Resources An Economic Policy Analysis, by J.C. Leith, pp. 4-12.

Silver was first located in 1866 around Thunder Bay. The leading producer was Silver Islet which was discovered in 1868 but closed in 1884. By 1893, silver production was non-existent but was renewed in the Lake Superior region in 1898. Construction of the Temiskaming and Northern Ontario Railway in 1903 initiated the second silver mining era centred at Cobalt. The peak production year of Colbat was 1911, 30 million ounces. Additional finds in 1907 and 1908 were at Lake Gowgonda, South Lorrain, and Cassey Townships. Today, silver production accounts for less than 4 per cent of the total output value.

Gold was first discovered in 1866 near Madoc. Small discoveries were made north of Lake Superior in the 1870s, Lake of the Woods area in 1878, and Sudbury in 1887. The discovery of Cobalt silver brought prospectors north to Porcupine where gold was discovered in 1907 and mined in 1909. Production began at Kirkland Lake in 1919. Other major finds were at Larder Lake in 1906, Red Lake and vicinity in 1924, and in the Crow River area in 1928. By 1931, gold accounted for over 50 per cent of the provincial metal production. Following World War II, gold mining became less profitable as production costs rose but output costs remained fixed. The federal government's Emergency Gold Mining Assitance Act of 1948 has greatly aided the viability of communities such as Holytyre, Pamour, Renabie, Shumacher, South Porcupine, and Timmins. However, between 1966 and 1970 gold output fell to less than 4 per cent of the annual provincial output.

Iron ore production began in the early 1800s. Deposits at Marmora and Madoc were uneconomical in the 1840s. Mines in Leeds County provided ore for Pittsburgh via the Rideau Canal and Lake Ontario but this trade ended in 1883 because of a depressed iron trade and a USA tariff on imported ores. Iron ore production revived in the 1890s with the construction of a blast furnace in Hamilton. Ore deposits were from Hastings, Frontenac, and Lanark Counties. The Helen mine near Lake Superior supplied USA demands in 1900. Between World Wars I and II, blast furnaces at Hamilton and Sault Ste. Marie processed USA ore. In 1945, the Steep Rock open pit mine near Atikokan was brought into full



production. Since World War II, iron ore mining in Ontario has risen to a 1975 third place position in value of production mainly because of iron ore pelletizing which permits the utilization of low grade ores. New deposits currently worked are at Marmora, Bruce Lake, and in the Algoma district.

Zinc has been mined since 1900 with the major source being mines in the Porcupine district. It is the fourth most important component of mineral production in terms of dollar value.

Uranium minerals have been found in Ontario since 1847. However, the first economic mining of uranium did not occur until the mid 1950s in the Elliott Lake region. Production peaked in 1959 when the USA Atomic Energy Commission stopped importing uranium. Demands have been increasing since 1970 through the marketing of the Candu reactors. Thus the future of Elliot Lake, with the world's largest uranium reserves, looks much brighter.

The value of mineral production rose steadily between 1960 and 1975. From 1970 to 1975 it increased about 47 per cent to about \$2.4 billion.\* Nickel and copper had the highest output values of all minerals mined in 1975.

Mining, Energy and Quarrying are discussed in Chapter X.

#### LAND OWNERSHIP

The total land and freshwater area of Ontario is approximately 264 million ac. (105.6 million ha.). Of this amount public (Crown) and private ownership represent approximately 89 per cent , 235 million ac. (94 million ha.), and 11 per cent, 29 million ac. (11.6 million ha.), respectively.

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\* Ibid, p. 583.

Two acts related to land ownership are the Land Speculation Tax Act and the Land Transfer Act which were enacted in April of 1974 as an attempt to help solve the problem of rising land costs as an ingredient of inflation in the Ontario economy. Speculative investment in land, much by non-Canadian residents, is a cause of high land costs in Ontario. The intent of these two acts is to stabilize land prices and encourage Canadian ownership in Ontario real estate. Changes were made to both these acts in the April 1977 budget speech. Effective April 20, 1977, changes related to the Land Transfer Tax Act were:

- The 20 per cent rate of tax on non-residents does not apply to conveyances of land zoned commercial or industrial by a municipality, or land assessed as commercial, industrial, or residential.
- Developers continue to be eligible for deferral of tax on the purchase of agricultural and recreational land acquired for development and resale.

For the Land Speculation Tax Act, the changes effective April 20 1977 were:

- The reduction in taxable value of 10 per cent per annum over ten consecutive years for investment properties became a reduction of 20 per cent per annum over five consecutive years.
- The reduction in taxable value for farm properties was broadened. Periods during which the farm was rented by the transferor are now eligible for the reduction. To qualify, the rental period must not exceed three years in the ten year period and the property may not be rented for more than two consecutive years immediately prior to transfer.
- Where control of corporations which have more than 50 per cent of their assets, any direct or indirect transfer of a controlling interest is considered a disposition of designated land, passes to non-residents, the additional 20 per cent tax imposed by this act does not apply to commercial, industrial, or residential land.

Detailed information regarding these Acts may be found in Appendix I of this report. The 1977 changes are not included in Appendix I.

There is an independent policy with respect to Crown lands. For summer resort leases on these lands, preference is given to Ontario residents. In the first year after lot registration, leases are made available to Ontario residents, in the second year to other Canadians, and in the third year to non-Canadians.

The Ontario Land Corporation (OLC), see Chapter V, assists the province in implementing policies of regional development, urban development, transportation and communications, and housing. Lands are acquired, serviced, and developed for resale or leasing on a long-term basis. The OLC will not hold lands in perpetuity. Thus the OLC aids in the development of provincial regions on a co-ordinated basis and permits greater emphasis in the development of eastern and Northern Ontario. The 1975-76 budget of the Corporation was \$338 million.

The Ontario government is currently studying "Foreign Ownership of Ontario Real Estate", a report produced by the Ontario Select Committee on Economic and Cultural Nationalism. Major recommendations of the Committee are:

- Only Canadian citizens and landed immigrants resident in Canada be permitted future transfers of legal interests in real property in Ontario. Others would be allowed to lease such property for a maximum of one year.
- A surcharge of up to 50 per cent of the real property tax could be levied by municipalities against landowners not ordinarily resident in Canada.
- Other than by individuals, corporations or ventures less than 75 per cent owned by Canadian citizens or landed immigrants resident in Canada would not be able to make future acquisitions of Ontario land. Such corporations or ventures under the 75 per cent figure could only lease land.
- Regarding Crown lands, this committee recommends a patenting of such lands only to Canadian citizens, landed immigrants, or to corporations or ventures not less than 75 per cent owned by Canadian citizens or landed immigrants.

## LAND OWNERSHIP ISSUES

A major provincial trend is towards increased public ownership or control and an increase in non-residential acquisition of rural and recreation lands. Other trends include a lower proportion of urban dwellers owning their own homes, urban people buying land in rural areas, much of the most accessible recreational land being privately owned, and severe speculation around major urban areas. Such trends as increased foreign ownership, private ownership of choice recreational lands, and land speculation are generally not acceptable to the people of Ontario. However, the public has mixed opinions about public ownership when expropriation is involved.

Various land use issues are associated with various types of ownership. Occasionally, lands designated for a particular use are held under-developed and thus are not available for more appropriate uses. For example, old mining patents may prevent the use of such land for current recreational uses. Land use issues include:

- Non-resident (or non-local) land owners are often believed to be speculators;
- Urban expansion and speculation removes much valuable agricultural land from production;
- Acquisition of rural lands by urbanites is reducing lands previously available for various forms of recreation including hunting, angling, and hiking;
- Recompense is a major agricultural issue concerning private land if development rights are affected by public ownership;
- Urban sprawl brings about high costs of servicing;
- Unauthorized occupation of public lands;

- Indian claims;
- High cost of land associated with private ownership; and
- To what extent is the public sector responsible for servicing private land?



### III

#### *PROVINCIAL LAND USE*

##### INTRODUCTION

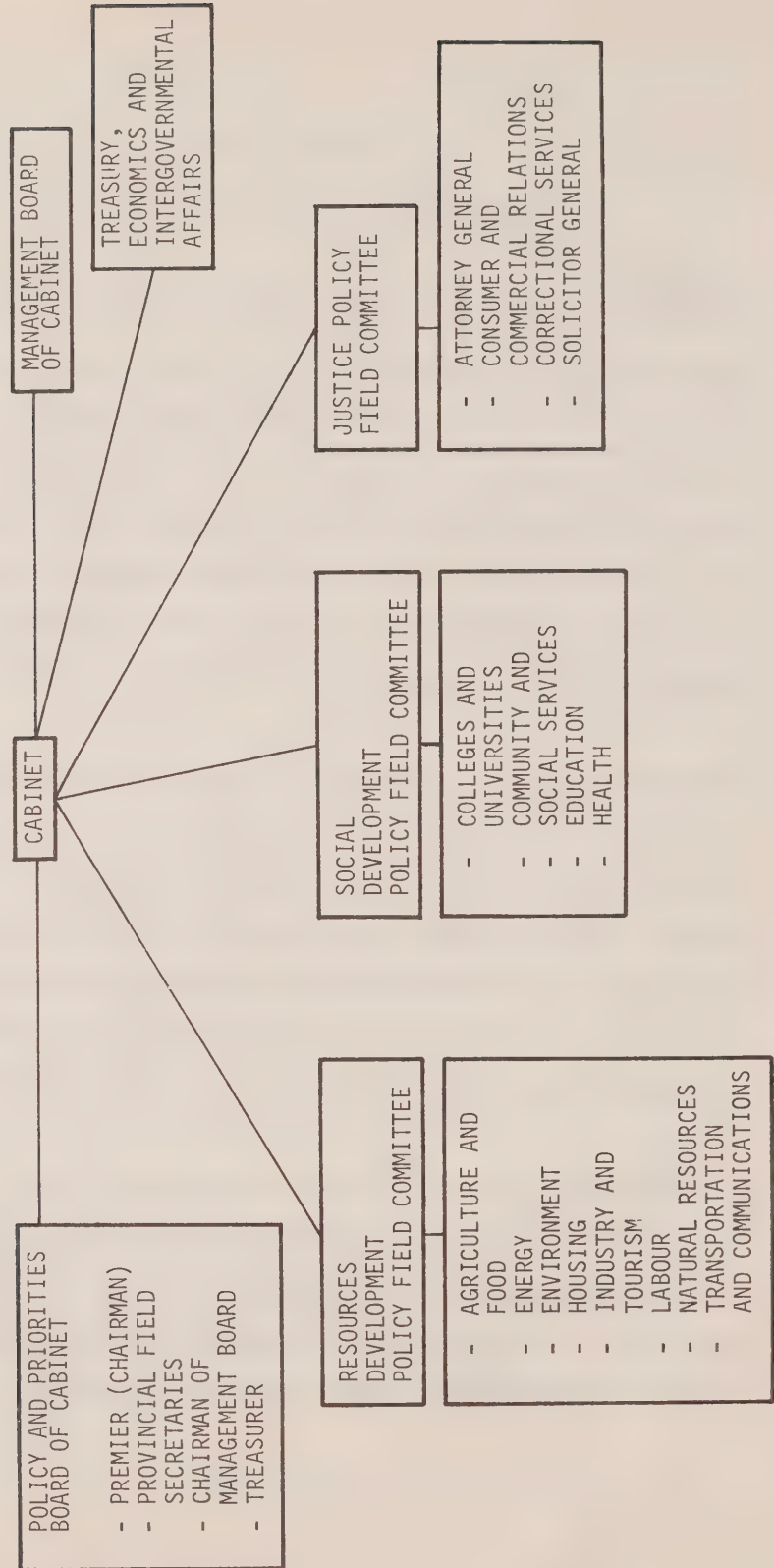
The policy and planning for land use in Ontario is widely dispersed within and among provincial ministries. Ontario has the largest and most complex government structure for dealing with land and its uses of any Canadian province. In addition, the private land development industry in Ontario is one of the most sophisticated in the country. These private and public institutions have advanced with the economic development of the province. They deal with the complex set of issues affecting present land use and how such uses should be planned and organized over the longer term.

At the provincial level, there is a three tier structure which influences government land use policy and planning. The ultimate responsibility for land policy rests with the provincial Cabinet. The current Cabinet committee system was designed to handle more effectively the task of policy-making along clearly defined functional lines. As seen in Figure 1, two boards reporting directly to Cabinet are the Policy and Priorities Board and the Management Board. These boards are discussed later in this chapter. The Ministry of Treasury, Economics, and Intergovernmental Affairs (TEIGA) also reports directly to Cabinet.

The second level of policy decision making occurs in the interministerial secretariats, the policy field committees, which also report directly to Cabinet. Of the three secretariats, the one having the most effect on land use policies is the Provincial Secretariat for Resources Development. The co-ordination and articulation of land use oriented policies are accomplished through the provincial Land Use Committee,

FIGURE 1

STRUCTURE OF PROVINCIAL  
POLICY MAKING PROCESS



discussed later in this chapter. Issues are referred to the Provincial Secretariats when unresolvable interdepartmental conflicts arise. The Secretariats can also request that certain studies be undertaken in individual ministries and can initiate studies requiring active inter-ministerial participation. The third level of decision making, and where most of the day-to-day decisions are made, is in the departments, called ministries in Ontario. These ministries have three principal means of control, through statutory, regulatory controls; through direct spending programs; and through the advisory function. While some ministries exercise all three functions, the primary route of influence is usually defined by ministerial responsibilities. There are 20 ministries in Ontario that are involved to some degree in land policy. The major ministries influencing land use policies are, Agriculture and Food, Environment, Housing, Natural Resources, Northern Affairs and Transportation and Communications. Two special committees are discussed, namely, the Advisory Committee on Regional Development, and the Provincial-Municipal Liaison Committee.

#### THE STRUCTURE OF POLICY MAKING

##### POLICY AND PRIORITIES BOARD (PPB) OF CABINET

This board was established by statute. Its formally designated duties include:

- determining long-term and short-term governmental objectives in social and economic policy;
- determining budgetary, fiscal, and tax policies and priorities in expenditures;
- conducting intergovernmental relations; and
- considering policy recommendations submitted by policy field committees.

The PPB is chaired by the Premier and is the top Cabinet committee.

## MANAGEMENT BOARD OF CABINET (MBC)

The MBC was also established by a special statute. Its duties include:

- co-ordinating existing programs;
- controlling expenditures;
- managing the public service; and
- analyzing the effectiveness and efficiency of existing and proposed programs.

This Board reviews all ministry submissions of a financial or administrative nature including program proposals, annual estimates, new legislation and regulations, and organizational changes. The Management Board Secretariat provides advisory services to ministries.

## POLICY FIELD COMMITTEES (PFC)

There are three such committees known as the Cabinet Committees on Resources Development, Social Development, and Justice. See Figure 1 for the ministries that comprise each committee. The PFCs are chaired by persons who have no individual ministerial responsibilities and who have no direct control over the activities of the individual ministries that comprise each Secretariat. The main objective of these committees is to resolve policy conflicts among the ministries through the committee vehicle and to carry forward proposals and recommendations to the Cabinet.

The following is from the March 29, 1977 Speech from the Throne. "The Provincial Secretary for Resources Development will be given a strengthened mandate to co-ordinate the land use policies of ministries and to expedite the resolution of land use issues. Administrative responsibilities will remain with respective Ministries and with municipalities, but central assessment and co-ordination at the provincial level will assure the best uses for our land through an overview of individual, community and provincial interests, which will

implemented through the process of official plan approvals". Resulting from this announcement, the Provincial Land Use Committee (PLUC) was established. Ministries represented on this committee are Agriculture and Food, Environment, Housing, Natural Resources, Transportation and Communications, and TEIGA. The PLUC meets once every three to four weeks. Subcommittees are formed to address specific land use topics. For example, there is a Land Use Data Subcommittee and a Food Land Preservation Subcommittee. Other provincial ministries contribute to the PLUC as subject matter warrants.

The Cabinet Committee on Social Development is concerned with those issues related to education, health, and social services. The Cabinet Committee on Justice deals mainly with the legal considerations of land acquisitions and development proposals.

#### SPECIAL COMMITTEES

##### Advisory Committee on Regional Development (ACORD)

This committee of deputy ministers was formed in 1966. It meets monthly and constitutes the highest government authority below the political level. The major duty of the ACORD is relating government programs to ministerial programs.

##### Provincial-Municipal Liaison Committee (PMLC)

The PMLC was formed in 1970 as a spinoff from the first Provincial-Municipal Conference in April, 1970. It was established to provide ongoing liaison between municipal organizations and TEIGA.

The PMLC consists of the Provincial Treasurer, other Cabinet members depending on issues to be discussed, and the Municipal-Liaison Committee (MLC). It meets monthly. Every third meeting of the PMLC involves the federal government and is therefore a Federal-Provincial-Municipal Liaison Committee.



The MLC consists of the following:

- chairman;
- eight representatives from the Association of Municipalities of Ontario (AMO);
- four representatives from the Association of Counties and Regions of Ontario (ACRO);
- four representatives from the Rural Ontario Municipal Association (ROMA); and
- two representatives from Municipality of Metropolitan Toronto.

Meetings of the PMLC are co-chaired by the Treasurer of Ontario and the Chairman of the MLC. Staff from various municipalities provide resource support to the MLC. Overall administration is the responsibility of the MLC Executive Director. The Provincial-Municipal Affairs Secretariat of the Office of Intergovernmental Affairs co-ordinates support services for the province.

#### PMLC Objectives

The PMLC is a consultative mechanism designed to promote a useful exchange of commentary and information between provincial and municipal representatives. As such, the PMLC facilitates municipal input into the provincial government policy-making process and encourages stronger, better informed local government and municipal administration.

The MLC in its constitution formally declares that its purpose shall be:

- to provide a forum for continuing exchange of ideas among its constituent members;
- to explore means of greater co-operation and co-ordination among its constituent members;
- to evolve more effective municipal programs for Ontario;

- to meet with the provincaill government:
  - to state the municipal viewpoint on matters brought before it by the provincial government;
  - to propose legislation and amendments to legislation on behalf of Ontario municipalities;
- to prepare and present joint statements to the provincial Cabinet;
- to appoint such representatives as it deems appropriate to serve on intergovernmental committees; and
- to make public statements reflecting the municipal viewpoint.

#### MINISTERIAL LAND POLICY RESPONSIBILITIES

Six ministries have the major responsibilities for developing and implementing land use policies and programs. These ministries, discussed alphabetically, are Agriculture and Food, Environment, Housing, Natural Resources, Northern Affairs, and Transportation and Communications.

#### MINISTRY OF AGRICULTURE AND FOOD (MAF)

In recent years, there has been a growing concern in Ontario over the depletion of prime agricultural land. Agricultural organizations have been exerting considerable pressure on the government for many years to develop a plan for agricultural land. Both federal and provincial farm price policies have been criticized as providing inadequate incentives for farmers to continue production on even the best agricultural land. The Ontario government does not favour the freezing of agricultural land and has delegated the responsibility for the preservation of agricultural land to the municipalities. In September 1974, the Food Land Development Branch was established as an outgrowth of an ad hoc committee of the same name formed in February 1974. The major purpose of this Branch is to establish a provincial policy on land for food production. In March 1976, the MAF issued a statement entitled "A Strategy for Ontario Farmland" which dealt with agricultural development and land use in Ontario. On February 17, 1977, the MAF released a

Green Paper on "Planning for Agriculture: Food and Guidelines". The MAF is requesting comments during the next six months before the guidelines become official government policy. It also made use of the "Agricultural Code of Practice for Ontario" which was revised in 1976 by a joint committee of the MAF and Ministries of Housing and the Environment. Additional details of the MAF are provided in Chapter VI.

#### MINISTRY OF THE ENVIRONMENT (MOE)

The MOE plays a major role in land use planning. Many of its responsibilities are administered under four acts, the Environmental Assessment Act, Environmental Protection Act, Ontario Water Resources Act, and Pesticides Act. These acts have economic, environmental, and social implications for land use.

The powers of the MOE relate to environmental standards. It has direct responsibility for the formal approval of water and sewage works and the approval of waste disposal sites and systems. Pollution abatement activities for sewage, soil waste, and industrial emissions are being intensified. Environmental standards for air, water, and food have been developed, including the licencing and control of toxic substances. Environmental monitoring for toxic or radioactive materials is being refined, including major lake contamination.

The MOE influences urban land use planning by reviewing official plans, zoning bylaws, subdivision plans, and severances. Regional municipal official plans include maps and the identification of environmental features and zones for public control, mainly agricultural, hazard lands, and sensitive areas.

The Land Use Planning and Co-ordination Section of the MOE was established to provide direct input into the provincial land use plan. The MOE has input into the four levels of planning in Ontario, namely,

- Provincial - Design for Development;
- Sub-Provincial;

- Functional Regions, e.g., COLUC; and
- Local and Regional Planning.

The MOE attempts to introduce aspects of environmental quality into each level of the planning hierarchy. Examples of the MOE involvement at each level are as follows:

- Provincial Level - The MOE would set out environmental goals and objectives in a set of broad statements applicable on a province-wide basis. This would become part of the provincial policy plan. It should be noted that the "plan" is largely a series of statements as opposed to graphic representation.
- Sub-Provincial Level - At the sub-provincial level of planning, the MOE would articulate in great detail its broad provincial goals and objectives to reflect the nature and unique qualities of a particular portion of the province. An example of this level of planning now ongoing at the MOE is the program to develop water management for the Upper and Lower Great Lakes as a result of the IJC program. Within the Ministry of Natural Resources, a parallel example is the Strategic Land Use Plan (SLUP), and the Southern Ontario Angling Policy.
- Functional Regions - These are regions developed in response to specialized problems identified within the Design for Development Program. Examples are COLUC, the Niagara Escarpment Planning Area, the Parkway Belt Planning Area, and the Canada-Ontario Rideau-Trent-Severn Program.
- Local and Regional Municipal Level - This is the common and generally recognized 'planning mechanism' operating in municipalities under the provisions of the Planning Act. It is not until this level in the planning hierarchy that site specific allocation of land use takes place.

This hierarchical framework is implicit in the Ontario Planning and Development Act, 1973. Thus the MOE would comment on policies, plans, and strategies from an environmental quality aspect.

An issue that has concerned municipalities for a number of years is the integration of land use and environmental planning.\* At the present time, both the Ontario Municipal Board and the Environmental Assessment Board conduct hearings on the same proposed municipal undertakings. Recommendations to remedy this situation are contained in the Planning Act Review Committee report.

#### MINISTRY OF HOUSING (MOH)

The MOH was created in November 1973. Its impact on land policies is mainly through its administration of the Planning Act plus land acquisition and development activities which are the responsibility of the Ontario Housing Corporation (OHC). The OHC is a Crown Corporation which reports directly to the Minister of Housing. The OHC buys and holds land, as well as operating federal and provincial land servicing programs. Some of this serviced land was made available to home-purchasers through the HOME (Home Ownership Made Easy) plan where the provincial government assembled land, provided it to private builders, and advanced mortgage funds at below-market rates. The HOME program was terminated in March 1977 in favour of a provincial subsidy system linked to the federal Assisted Home Ownership Plan; AHOP/HOME is discussed in Chapter V. Other land owned and developed by OHC is used for constructing government rental housing for low and moderate income families.

The MOH advises municipalities to assemble land. However, since the financing of most municipalities depends on federal and provincial land assembly funds, the real control in this area rests with the OHC.

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\* See Municipal Liaison Committee Submission to the Executive Council of the Province of Ontario, May 4, 1977, p. 16.



Thus, the MOH has a significant opportunity to influence the content, form, and general quality of Official Plans through its approval and review processes. The draft plans of regional municipalities contain detailed policies related to land use and the environment. Such plans rely heavily on local municipalities to implement land use controls. Under the Planning Act, municipalities can pass bylaws restricting the use of land for certain purposes, controlling the building of structures, and establishing conditions for development or re-development on any lands or of any buildings. The Planning Act also permits municipal consents through municipal committees of adjustment of land division committees.

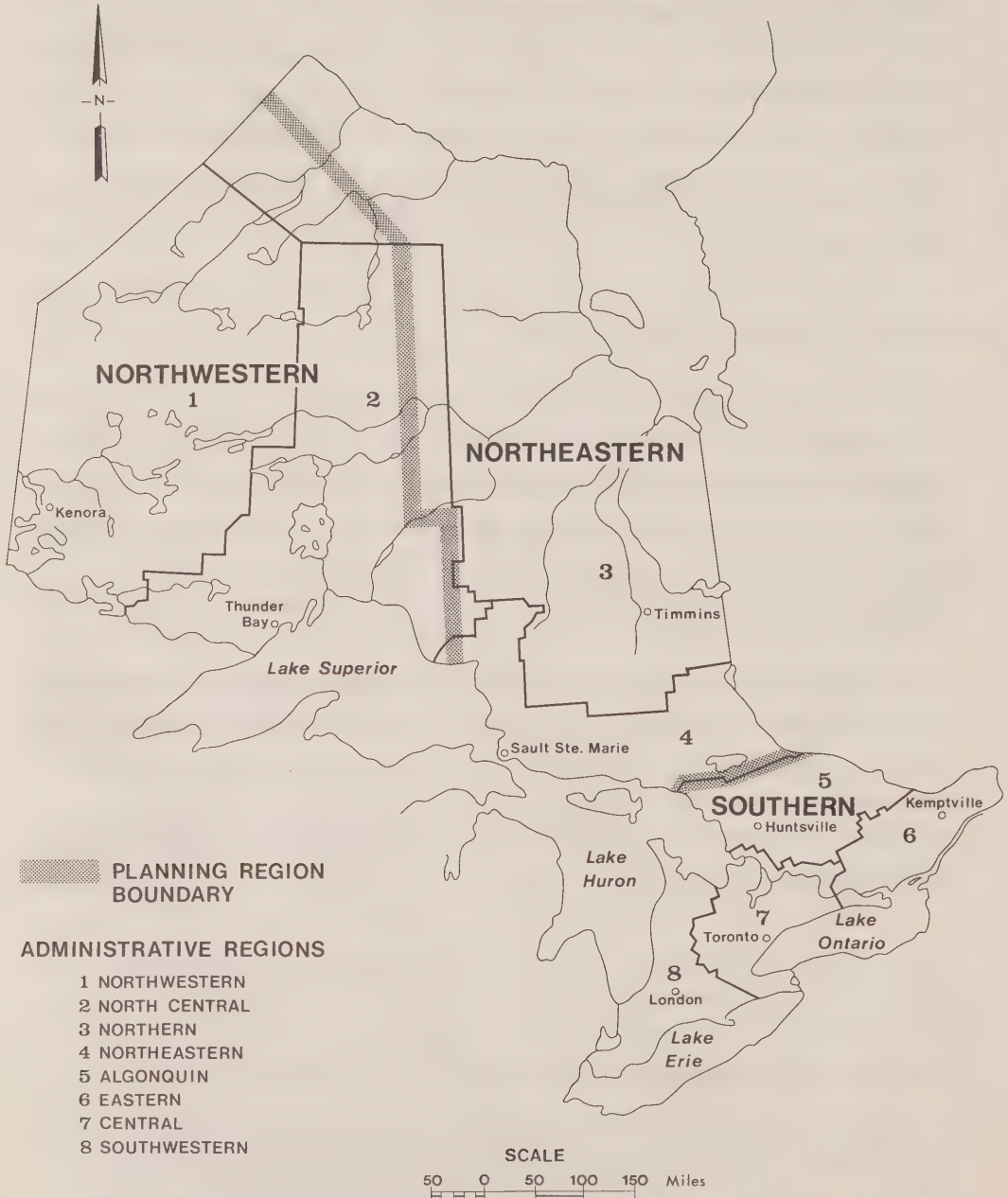
#### MINISTRY OF NATURAL RESOURCES (MNR)

The MNR is responsible for administering Crown lands in Ontario. Such lands represent almost 90 per cent of the province. The management responsibilities of the MNR include forest, mineral, water, fish, and wildlife resources which are either dependent upon or are a part of the land. The district and regional staff of the ministry review development proposals to detect any conflicts with MNR objectives.

For short term no charge activities such as hiking, camping, fishing, or hunting, the MNR establishes regulations. For long term activities such as mining, logging, and cottaging, the user must obtain tenure (the legal right to hold land) through a land use permit, a licence of occupation, a lease, or a patent. Some leases include an option for future purchase of land.

Conflicts over Crown land use are studied and resolved by the MNR. The ministry is developing a Strategic Land Use Plan (SLUP) which sets out broad policies of all MNR land use requirements. The SLUP deals with the entire province which is divided into three planning regions: N.W. Ontario, N.E. Ontario, and S. Ontario; see Map 2. This plan can serve as an inventory for other agencies to review MNR land use policies and programs. The MNR liaises with other ministries on land use issues, reviews municipal plans, and issues land use surveys and maps.

**MAP 2**  
**MINISTRY OF NATURAL RESOURCES**  
**ADMINISTRATIVE REGIONS**  
**AND**  
**PLANNING REGIONS**



## MINISTRY OF NORTHERN AFFAIRS (MNA)

On July 12, 1977, Royal Assent was given to an act to establish the Ministry of Northern Affairs. The MNA was established to co-ordinate programs and services and establish a stronger provincial government in Northern Ontario. This ministry is discussed in detail in Chapter IV.

## MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (MTC)

The main function of the MTC related to provincial land use planning is the provision of transportation data which are used as an information base. A Land Use Group exists within the MTC and is developing a land and transportation model that will test the impact of transportation policies. This model uses a concept of inherent "attractions" of an area for growth. It is being tested in Hamilton and Chatham.

The Land Use Group is also involved in a rights-of-way project to map existing land use along transportation corridors and to forecast trends. This project is being used to estimate recreational development in selected regions in the Central Ontario Lakeshore Urban Complex (COLUC) area. COLUC is an interministerial study of the "golden horseshoe" region between Oshawa and Hamilton.

On January 1, 1976, the MTC established a Strategic Policy Secretariat. Its responsibilities are:

- to provide support services to the MTC management committees. This involves maintaining continuous contact with the Cabinet Committee on Resources Development, Management Board, and Cabinet.
- to develop and implement an integrated policy development and planning process for the MTC.
- to maintain continuous liaison with other Ontario ministries, other governments, federal, provincial; municipal; industries; and users of MTC services.

- to identify concerns and issues arising from external sources; such concerns and issues are assessed regarding impacts on the Ministry.

## IV

### *ENVIRONMENT*

The purpose of this chapter is to provide an overview of environmental programs in Ontario. The province has increased its initiatives in environmental planning since the mid 1960s. Environmental protection programs are based primarily on provincial acts administered by the Ministry of the Environment (MOE). Following is a discussion of three pieces of legislation administered by the MOE that influence provincial land use planning. These acts are the Environmental Protection Act, the Ontario Water Resources Act, and the Environmental Assessment Act. Programs of the MOE are discussed as are the duties of the new Ministry of Northern Affairs.

Environmentally oriented policies, programs, and legislation administered by the MOE and other provincial ministries related to land use sectors are discussed in subsequent chapters. There is growing public and governmental awareness and concern related to environmental protection. Thus the following discussion provides an introduction to land use planning which is expanded upon throughout this report.

#### THE ENVIRONMENTAL PROTECTION (EP) ACT

The purpose of the EP Act is to protect and conserve the natural environment. Under this act, the MOE implements programs related to air pollution emissions and noise, waste management and disposal, and litter management and disposal. Important programs have been developed related to industrial and municipal air emissions, solid waste disposal sites, and private sewage disposal systems - cesspools, septic tanks.



The EP Act provides for studies into:

- the quality of the environment in any geographical area, including the provision for continuous monitoring;
- meteorological conditions; and
- environmental planning designed for the wise use of the natural environment by man.

Certain directors of the MOE can issue orders to control or stop operations which are discharging contaminants. Such orders are issued on the basis of provincial government reports.

#### ENVIRONMENTAL HEARING BOARD (EHB)

Under the EP Act, this board is empowered to hold public hearings and to make recommendations to the deputy minister of the MOE regarding environmental protection programs. The EHB is an advisory body and has no legal power to make decisions respecting the hearings it conducts. This board travels about the province reviewing applications and municipal bylaws dealing with solid waste disposal systems.

The EHB does not recommend the technical suitability of a project but examines the socio-economic issues related to a site. The board does not have its own technical staff to conduct in-depth reviews of scientific evidence submitted in support of an application. The MOE provides such staff.

#### THE ONTARIO WATER RESOURCES (OWR) ACT

The OWR Act is concerned with the supply of water and the treatment and disposal of sewage. Regarding water, the MOE makes agreements with municipalities or persons regarding water supplies and the reception, treatment, and disposal of sewage.

As under the EP Act, the OWR Act provides for the appointment of provincial officers who inspect, monitor, and survey both the natural environment and structures and operations which are sources of contaminants.

Close association between medical officers of health and the MOE results in studies related to local sewage treatment and the supply of potable water. In municipal - MOE agreements under the OWR Act, a MOE representative will act for a municipality before the Ontario Municipal Board. Also, provisions under the act provide for public hearings before the Environmental Hearing Board.

#### THE ENVIRONMENTAL ASSESSMENT (EA) ACT

This Act is discussed in more detail than the EP Act and the OWR Act because of its potential significance to land use planning in Ontario. This is the first piece of provincial legislation in Canada to enact a comprehensive framework for undertaking the environmental impact assessment of both public and private projects.

#### BACKGROUND

During the 1960s and early 1970s, large-scale projects such as nuclear power plants, international airports, new towns, and freeways have emphasized the need for increased consideration of the environment. Public interest in environmental protection was shown by responses to planning and resource studies such as the Design for Development program and the Niagara Escarpment Task Force.

Past concern with environmental protection is evidenced by the Beds of Navigable Rivers Act, the Environmental Protection Act, the Game and Fish Act, the Lakes and Rivers Improvement Act, the Ontario Water Resources Act, the Pesticides Act, and the Planning Act. However, such legislation did not ensure a comprehensive and co-ordinated consideration of all environmental factors, including public input, before major projects and technological developments proceeded. Environmentally oriented activities of the MOE and other ministries were primarily oriented towards pollution control and abatement. This abatement process was basically an "after-the-fact" strategy.

Proclamations dated April 13 and October 13, 1976, brought all provisions of the act into force except the provisions applied to Clause 6 of Section 2 related to major commercial or business enterprises or activities and municipal projects. The current environmental assessment status of municipal and private projects are discussed in the next sections of this chapter.

#### APPLICATION OF THE EA ACT

Under the EA Act, environment is defined very broadly to include the natural and physical environment as well as human and animal life, social, economic, and cultural factors, and the interrelationships among these elements.

Procedures have been established under the EA Act related to the submission of environmental assessment reports to the MOE, for hearings where necessary by an Environmental Assessment Board, and for final approvals of undertakings by the Board, the Environment Minister, or Cabinet.

The EA Act requires that an environmental impact assessment study be undertaken and approved prior to commencing a proposed project. The assessment must describe the existing environment, the project, and potential impacts, plus consider the technological alternatives for carrying out the project and alternatives to not initiating the project at all.

The first Environmental Assessment Board was appointed on April 20, 1976. The Board is composed of not fewer than five members appointed by the Lieutenant-Governor in Council, and none of which may be a provincial civil servant. Public hearings are held by the board with respect to:\*

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\* EA Act, Section 12 (2).

- 'the acceptance or amendment and acceptance of an environmental assessment;
- whether approval to proceed with an undertaking in respect to which the environmental assessment was submitted should or should not be given; and
- whether the approval mentioned in the previous clause should be given subject to terms and conditions, and if so the provisions of such terms and conditions.'

During the early 1970s, the MOE placed increasing emphasis on the restorative and preventative aspects of environmental management. Restoration complements the abatement process as it deals with the correction of undesirable conditions, or pollution effects, in specific locations rather than the elimination of a specific pollutant. The preventative strategy is an attempt to identify and resolve potential environmental problems prior to the occurrence of environmental damage. This preventative strategy for achieving environmental objectives was embodied in the existing approvals programs of the MOE.

The provincial government wished to expand and strengthen the preventative aspects of this environmental management strategy. It desired to develop a procedure that would provide an integrated consideration, at an early stage, of all environmental effects generated by a project. Thus the government wished to establish a comprehensive system of environmental assessment and evaluation of activities within both the public and private sectors. In September 1973, the "Green Paper on Environmental Assessment" was released by the MOE for discussion. Specifically, environmental assessment was a proposed means to achieve the following two objectives:\*

- To identify and evaluate all potentially significant environmental effects of proposed undertakings at a stage when alternative solutions, including remedial measures and the alternative of not proceeding, are available to decision-makers; and

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\* Green Paper on Environmental Assessment, p. 9.

- To ensure that the proponent of an undertaking and governments and agencies required to approve the undertaking give due consideration to the means of avoiding or mitigating any adverse environmental effects prior to granting any approval to proceed with an undertaking."

This policy Green Paper was one step in the three year development of environmental assessment legislation. The Environmental Assessment Act received Royal Assent on July 18, 1975 and various sections were effective on proclamation.

#### THE EA ACT AND THE MUNICIPAL PLANNING SYSTEM

As previously stated, the EA Act will apply to municipal projects. The Minister of the Environment established the Municipal Working Group in December 1975 to discuss the type of municipal projects which would require an environmental assessment under the EA Act. The group was composed of representatives from the Municipal Engineer's Association, the Municipal Liaison Committee, and staff from the MOE. The report of the group, entitled "Recommendations for the Designation and Exemption of Municipal Projects Under the Environmental Assessment Act" was circulated for comments to be submitted to the Minister of the Environment before April 20, 1977, later extended to June 30, 1977. Topics covered in the report include:

- designation and exemption of municipal projects under the EA Act;
- class environmental assessments for municipalities;
- phasing-in provisions for municipalities;
- concerns relating to implementation of the act for municipalities, e.g. time requirements, need for additional staff, costs, and preparation of the environmental assessment document;
- problems relating to land acquisition, possible duplication of hearings, and the relationship of the Planning Act to the EA Act; and
- extent of application of the EA Act to municipalities.



The Municipal Working Group discussed the potential conflict between the environmental assessment process and the Official Plan process. There is a need to avoid possible conflicts or duplication resulting from administering the Planning Act and the EA Act and thus to avoid duplication of hearings before the Ontario Municipal Board (OMB) and the Environmental Assessment Board. The Planning Act Review Committee made recommendations as to the relationship between the EA Act and the Planning Act and the relationship of the former act to municipal planning.\* Section 17.30 of the Planning Act Review Committee report is as follows:

'A major municipal concern regarding the EA Act is the provision that major business and commercial enterprises, if designated by the regulations will be required to obtain environmental assesment approval before they can proceed. There is deep concern with the prospect of development proposals having to undergo duplicate sets of hearing procedures, one by the OMB with respect to zoning or official plan designation under The Planning Act, the other by the Environmental Assessment Board with respect to assessment under The EA Act. The Environment Minister has stated that it is not expected that the two boards would be considering the same things, and also that zoning applications before the OMB would not be proceeded with until the environmental assessment had been carried out. There is also concern at the prospect of two different aprovals being required, one by the Housing Minister (or OMB) one by the Environment Minister (or the Environmental Assessment Board), though both approvals might ultimately end up with the Cabinet under either Act.'

The MOE will issue a statement on the Municipal Working Group report in 1977.

#### THE EA ACT AND PRIVATE PROPOSALS

Following are examples of private proposals which will be assessed under the EA Act.

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\* Report of the Planning Act Review Committee, pp. 152-156.

INCO Ltd. is the first private company to request assessment under the EA Act in relation to the Spanish River power proposal. The company is conducting a \$1.2 million feasibility study of further hydroelectric generating development on the Spanish river. INCO already has four hydro-generating stations and 11 control dams on the Spanish River system. This study includes an environmental assessment document. Thus INCO's assessment should provide maximum benefits both for the company and for area residents with a minimum of environmental disruption.

An amendment to the EA Act, given first reading in the legislature on April 26, 1977, will allow the government to appoint Mr. Justice Patrick Hartt through an Order-in-Council to conduct an inquiry into the broad environmental, cultural, social, and economic implications of major developments north of the 50th parallel of latitude. This amendment will include the Reed Ltd. proposal for timber harvesting and processing. Public hearings related to the Reed proposal will provide a forum for public participation and should result in information outlining the full environmental implications of the Reed project. The Reed proposal is the first private development to be designated by the government for assessment and public hearings under the EA Act. The MOE desires recommendations for new approaches to planning and assessing resource-based development in the sensitive environments of Northern Ontario.

Two mining companies, Rio Algon Ltd. and Denison Mines Ltd. have had a consultant prepare environmental assessment reports on uranium mine expansion at Elliot Lake. The Environmental Assessment Board is conducting hearings regarding this project as designated by an Order-in-Council dated September 22, 1976. These hearings are authorized by the Order-in-Council and do not fall under the EA Act.

## ENVIRONMENTAL APPROVALS OF THE MOE

The Environmental Approvals Branch (EAB) of the MOE conducts land use oriented programs. This branch reviews and approves all applications required by the MOE under the Environmental Assessment Act, the Environmental Protection Act, and the Ontario Water Resources Act.

The Land Use Co-ordination and Special Studies Section of the EAB advises the MOE, other ministries, municipalities, and the private sector as to the necessary environmental safeguards to be incorporated into land use policies and programs. Environment and land use concerns of this section are related to subdivisions, official plans, planning and development proposals of regional significance, new town proposals, conceptual plans for water and sewer services, solid waste disposal facilities, and river basin planning studies.

The EAB also reviews and makes recommendations regarding the acceptability of all proposed water, waste-water treatment, and waste management systems, both municipal and private. Design criteria and guidelines for use are developed for these systems. Evaluations, at the conceptual stage, are made of any activities of other ministries, utilities, government funded projects, and related private sector activities which will have a significant environmental impact. Industrial applications for technical adequacy under the Environmental Protection Act and the Ontario Water Resources Act are assessed. Assessments deal with the construction of facilities which will achieve provincial air and water quality control standards.

## MINISTRY OF NORTHERN AFFAIRS (MNA)

Because of the many potential environmental and land use issues in Northern Ontario, the MNA is discussed in this chapter. The MNA was established in 1977 to:

- help develop and recommend policies and programs in response to the problems, needs, and opportunities of Northern Ontario;

- facilitate citizen participation in policy and program development;
- improve citizen awareness of and access to government programs and services; and
- establish a stronger provincial government presence in the north.

To improve community liaison, the 25 Northern Affairs offices of the MNR providing public information services will be transferred to the MNA. The MNA will assume responsibility for community and regional priority projects and townsite developments in the north which were formerly the responsibility of TEIGA. Such TEIGA projects included the building of sewage treatment plants and access roads. Northern Affairs will also assume responsibility for the Northern Ontario Resources Transportation Program; resource access roads; the Ontario Northland Transportation Commission, including NorOntair and the telecommunications service; and the Isolated Communities Assistance Program. The Minister of the MNA will undertake government contact with Northeastern and Northwestern Municipal Advisory Committees in the development of regional plans.

As mentinned under the EA Act, inquiries will be held regarding developments with environmental, cultural, social, and economic implications north of the 50th parallel. The Reed Ltd. forestry proposal is an example. There is a growing awareness of Northern Ontario by both the government and Ontario residents. The MNA should play a significant role in future land use decisions in this part of the province.

*URBAN SETTLEMENTS*

In 1976, Ontario and Metro Toronto accounted for 35.9 and 9.2 per cent of Canada's population, respectively, Ontario's population and its growth are highly concentrated in the southern, Lake Ontario area. Thus a multiplicity of land uses and potential land use conflicts exist.

Topics discussed in this chapter are:

- population growth rates;
- population distribution;
- the Toronto Centred Region (TCR) plan and two related policy statements, namely, the Niagara Escarpment Commission and the Parkway Belt System; and
- provincial ministries involved in municipal planning, namely, Housing, Agriculture and Food, Environment, Natural Resources, and Transportation and Communications. The role of TEIGA is also discussed.

POPULATION GROWTH RATES

From Table 2 for the years 1961, 1971, and 1976, the provincial population was 6.2, 7.7, and 8.2 million, respectively. Thus the 1961-1971, 1961-1976, and 1971-1976 growth rates were 24.2, 32.3, and 8.1 per cent, respectively. The provincial plan until the year 2001 is found in a document released in March, 1976, entitled "Ontario's Future Trends and Options". Using 'Trends and Options', the projected population growth between 1971 and 2001 is from 7.7 to 11.6 million. The urban population is expected to jump from 6.3 to 10.0 million.

Population growth rates can be applied to the five TEIGA planning regions, namely, Southwest, Central, East, Northeast, and Northwest.



TABLE 2  
POPULATION TOTALS AND PERCENTAGES FOR  
CANADA, ONTARIO, AND METRO TORONTO  
1951, 1961, 1971, and 1976

POPULATION TOTALS

| Areas         | 1951       | 1961       | 1971       | 1976       |
|---------------|------------|------------|------------|------------|
| Canada        | 14,009,429 | 18,238,247 | 21,568,311 | 22,992,604 |
| Ontario       | 4,597,542  | 6,236,092  | 7,703,106  | 8,264,465  |
| Metro Toronto | 1,117,470  | 1,618,787  | 2,089,729  | 2,124,291  |

POPULATION PERCENTAGES

| Areas               | 1951 | 1961 | 1971 | 1976 |
|---------------------|------|------|------|------|
| <u>% of Canada</u>  |      |      |      |      |
| Ontario             | 32.8 | 34.2 | 35.7 | 35.9 |
| Metro Toronto       | 8.0  | 8.9  | 9.7  | 9.2  |
| <u>% of Ontario</u> |      |      |      |      |
| Metro Toronto       | 26.0 | 28.5 | 27.1 | 25.7 |

Source: Metropolitan Toronto Planning Board, Preliminary Impressions of the Urban Structure: to 1971, June 1974, Table 1. 1976 Census of Canada.

The Central region is the key area running from Kitchener on the west to Georgian Bay on the north and to Belleville on the east. Land requirements for housing, recreation, transportation, industry, and services have accelerated in recent years in the rapid growth and easily accessible Central and Southeastern regions. However, the percentage of the population living in Metro Toronto expressed as a per cent of Ontario has decreased from 28.5 in 1961, to 27.1 in 1971, and 25.7 in 1976. See Table 2.

There is no specific provincial policy on the rate of population growth. Growth is being encouraged in the less densely populated areas and areas with less good agricultural lands, i.e. towards the north and east. This is an attempt to channel growth away from Central Ontario.

#### POPULATION DISTRIBUTION

Since 1971, the most discernible trend has been the migration from rural to urban areas with an increasing concentration in the Central Ontario Region. Within this region, there has been a shift from the major centres (Toronto and Hamilton) to the smaller centres (Barrie, Kitchener/Waterloo, Newmarket/Aurora) and to rural residential estates. An offsetting force to this shift has been the concentration of new immigrants in the Toronto/Hamilton urban complex.

Some impacts of the above trends are:

- Classes 1, 2, and 3 agricultural lands have been taken out of agricultural use permanently and speculatively to provide land for country estates and urban housing;
- In rural areas, conflicts arise between ex-urbanites and the farming community;
- Rapid urban growth has resulted in environmental problems related to sewage, water supply, air quality, noise, and solid waste disposal;
- Recreational opportunities are lost through posting and gun bylaws; and
- Aggregate supplies are often withdrawn from future use.

Other land use issues associated with population distribution are related to transportation, energy supplies, education, housing costs, industrial development, urban sprawl, and ribbon development.

Government policy related to population distribution is based on the encouragement of growth away from the TCR. Provincial regional plans and the provincial review of municipal plans aid in the implementation of provincial policies. Industrial grants and TEIGA - DREE agreements are financial stimuli to aid in population distribution.

#### PROVINCIAL PLANNING - DESIGN FOR DEVELOPMENT

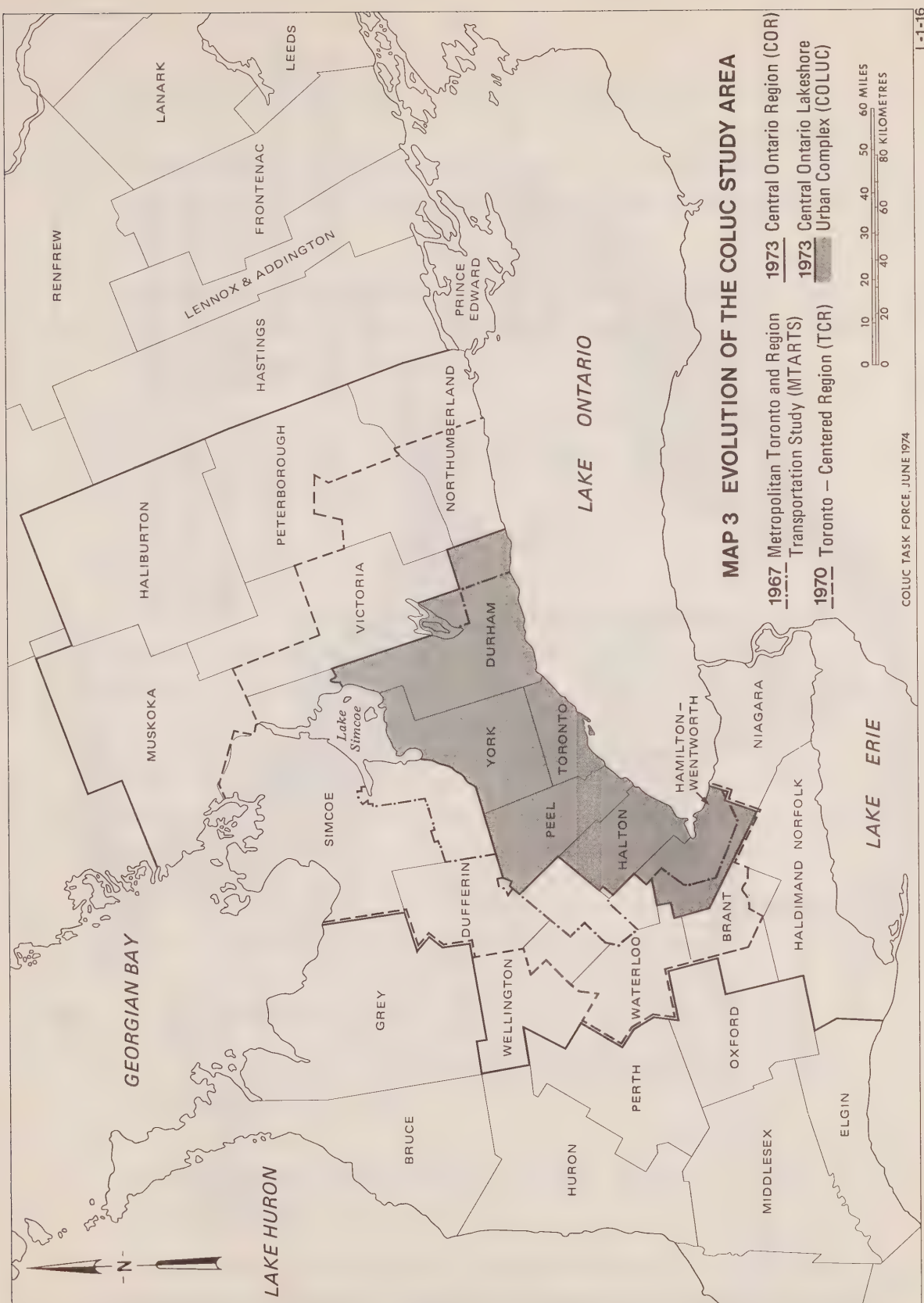
As described in Chapter II, the Design for Development program was initiated in 1966. Under this program, the provincial government carries out and gives direction to economic development and land use planning. Municipal plans were to be based on regional land use plans that included economic and environmental considerations. However, with the creation of the Ministry of Housing (MOH) in 1973 and the subsequent transfer of the administration of the Planning Act from TEIGA to the MOH in 1976, the MOH has the most direct impact on municipal planning.

The "Design for Development: Toronto-Centred Region 1970" proposal was reaffirmed as provincial policy in March 1976 in the "Toronto-Centred Region Program Statement". See Maps 3 and 4 which depict COLUC and the TCR concept. The TCR document listed five basic principles and 12 goals for the region which elaborated upon the principles. These may be condensed to five main goals,\* namely:

- to contain urban growth in a corridor or linear pattern along the lakeshore so as to permit efficient transportation and other facilities planning;
- to prevent urban sprawl by maintaining a pattern of separate urban communities in two tiers roughly parallelling the lakeshore;

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\* "Food for the Cities", p. 14.



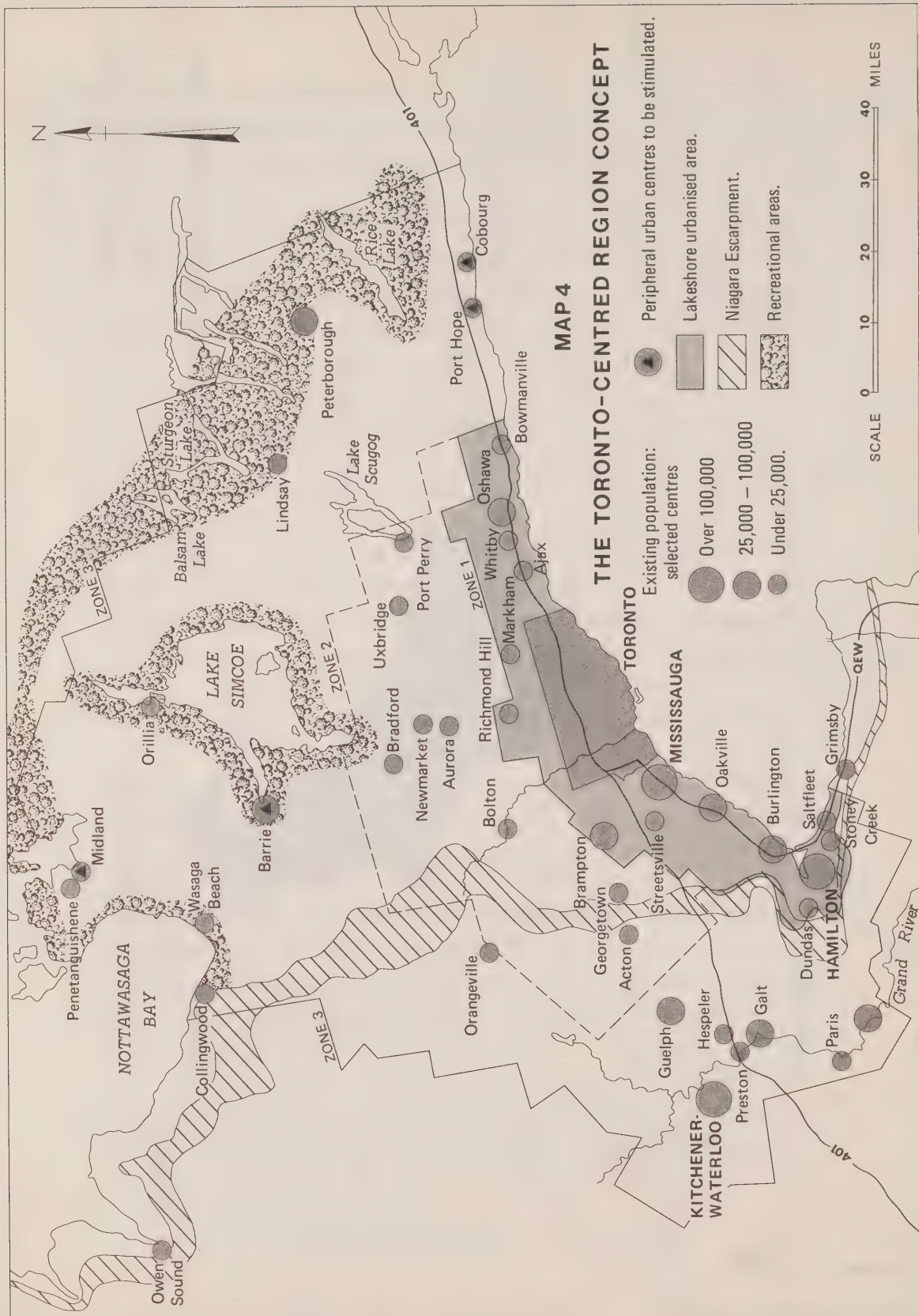
**MAP 3 EVOLUTION OF THE COLUC STUDY AREA**

- 1967 Metropolitan Toronto and Region Transportation Study (MTARTS)
- 1973 Central Ontario Region (COR)
- 1973 Central Ontario Lakeshore Urban Complex (COLUC)
- 1970 Toronto - Centered Region (TCR)



COLUC TASK FORCE, JUNE 1974







- to stimulate growth east of Metro Toronto as a balance to that occurring westward, and to limit development in the Yonge Street corridor;
- to decentralize some of the TCR growth to the north and east. Thus there would be a better distribution of population and employment in Southern Ontario; and
- to preserve the best agricultural land and the most attractive recreational areas. Recreational priority areas are the Georgian Bay shoreline, the Kawartha Lakes, Lake Simcoe, and the Niagara Escarpment

The policy statements of the TCR have been elaborated through special task forces related to the Niagara Escarpment and the Parkway Belt. A discussion of these follows.

#### NIAGARA ESCARPMENT COMMISSION

With the passage of the Niagara Escarpment Planning and Development Act on June 22, 1973, the Niagara Escarpment Commission came into existence. The Commission's task is to develop a master land use plan for the 2,000 sq. mi. (6,200 sq. km.) Niagara Escarpment Planning Area which includes portions of four counties, four regional municipalities, and 55 municipalities. The Niagara Escarpment is a 462 mi. (739 km.) land formation stretching from Niagara Falls to Tobermory. A goal of the master plan is to preserve the Escarpment while permitting development that is compatible with the natural environment.

Seven primary objectives used in preparing the master plan are:

- to protect unique and historic areas;
- to maintain and enhance the quality and character of natural streams and water supplies;
- to provide adequate opportunities for outdoor recreation, through the public and private sectors;
- to maintain and enhance the open landscape character of the Niagara Escarpment by such means as compatible farming or forestry and by preserving the natural scenery;

- to ensure that all new development is compatible with the goal for the Escarpment;
- to provide for adequate public access to the Escarpment; and
- through co-operation and assistance, support municipalities within the Niagara Escarpment Planning Area in planning functions conferred under The Planning Act so as to attain the goal of the Commission.

### Advisory Committees

On September 30, 1976, two advisory committees were formed under Section 4 of the Niagara Escarpment Planning and Development Act. The committees are the Niagara Escarpment Regional and County Advisory Committee and the Niagara Escarpment Interest Groups Advisory Committee.

These committees will carry out assignments delegated by the Niagara Escarpment Commission on behalf of the Provincial Secretary for Resources Development. Three specific tasks are envisioned for the committees:

- through consultation during the period of draft plan preparation to assist in the development of options for the plan. This task began in September 1976;
- to examine the draft plan in detail upon publication and to make comments during the statutory "examination period"; and
- to make further submissions and, if desired by the committees, to appear at the formal public hearings to be held after the "examination period".

### Development Control

Development control is a land use control system new to Ontario. This technique is being used as an interim system to control land use and to avoid freezing all development until the master plan is prepared. Any developments opposed by the commission are being set aside as premature until they can be evaluated on the basis of the plan. During the past

year, the commission dealt with about 1,400 development permit applications and over 90 per cent of these were approved. Development control is a flexible planning tool and can deal with many issues not dealt with in normal zoning.

### Master Plan

A draft master plan is being prepared for the Niagara Escarpment Planning Area. This plan includes the identification of a series of land use categories and corresponding policies. A series of six draft policy papers has been prepared to aid the advisory committees in developing alternative proposals. The six draft policy papers address the topics of environmentally significant lands, passive recreation, natural and cultural resources, agriculture, urban development, and mineral resources.

Policies are being drafted for the regulation of development in environmentally sensitive areas, scenic drives, public land acquisition, preservation of lakeshore areas, forest areas, fish and wildlife habitats, parks and recreation areas, the Bruce Trail, historic and archaeological sites, nature reserves, agricultural lands, general rural development, major and minor urban centres, and transportation and utilities.

Comments are being requested from the public and the 55 Escarpment municipalities. Following a formal series of public hearings, the plan will be re-drafted with the final master plan going to the government by the end of 1977 or early 1978.

Some interesting facts about the Niagara Escarpment are as follows:

- There are 114 varieties of 'special interest' flora along the Escarpment, 70 wildlife habitats of special interest, 72 unusual geological formations, 68 waterfalls and rapids, 210 historic sites, and 169 scenic vantage points.

- The Bruce Trail is 435 mi. (696 km.) long and meanders along much of the Escarpment. This trail is composed of 211 mi. (338 km.) or 48 per cent on private lands; 122 mi. (195 km.) or 28 per cent on roads; 13 mi. (21 km.) or 3 per cent on Indian reserves; and 89 mi. (142 km.) or 21 per cent on public lands. Once the optimum route for the trail has been selected, means of guaranteeing public access must be chosen while preserving the values and rights of private land-owners along the trail. Possibilities being examined to guarantee such access include lease agreements, easement agreements, development rights purchase and purchase-and-leaseback, and public acquisition of the entire trail length.

#### THE PARKWAY BELT SYSTEM\*

In 1970, an interministerial Parkway Belt Task Force was established to design the Parkway Belt System (PBS). This System would be part of the TCR concept. The PBS is based on four principles:

- to define and separate communities in order to provide people with a sense of community identity;
- to link communities with service corridors and thus aid the movement of people, goods, and energy;
- to provide a future land reserve; and
- to offer open space and recreational facilities for urban residents.

The implementation of the PBS is accomplished by the Parkway Belt Planning and Development Act, June 1973, which applies to the Parkway Belt West. Objectives accomplished under this Act are that it:

- defines the Parkway Belt area;
- applies major planning provisions under the Ontario Planning and Development Act to the Parkway area; and

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\* TEIGA, Governement Policy for the Parkway Belt: West, June 1973, 35 pp



- enables the province to apply land use regulations to the Parkway Belt area so that development will be in accord with government policies for the belt.

The Parkway Belt West is a multi-purpose transportation and utility corridor, urban separator, and linked open space system covering 90 sq. mi. (234 sq. km.) between Hamilton and Highway 48 at Markham. A future extension will run from Markham to Oshawa, the Parkway Belt East. Since the design of the PBS was based on four principles, it reflects various demands depending on which principle predominates in any one area. For example, the belt is wide and irregular where parks and conservatio areas predominate and is long and narrow where transportation routes occur.

In June of 1974, the Parkway Belt Planning and Development Amendment Act was enacted. This Act states that the Parkway Belt Plan and the Parkway Belt Planning Area shall be a development plan and a development planning area under the Ontario Planning and Development Act. Thus the planning and public participation provisions of the Planning and Development Act apply to the Parkway Belt West. Phased purchases of land for public open space and transportation and utilities rights-of-way are part of the implementation plan of the PBS.

In January 1976, a draft plan for the Parkway Belt West was released by TEIGA for public comment. Parkway Belt West hearings were held during 1976 and 240 submissions were made. On February 17, 1977, the Report of the Hearing Officers was presented to the Ontario Treasurer. The main recommendation of the officers was that the Draft Plan be "accepted as modified". The Treasurer will make his recommendation to Cabinet in 1977. If these recommendations differ from the hearing officers' views, the public will be given 21 days to make submissions, as decreed under the Planning and Development Act.

#### MUNICIPAL PLANNING AND THE PROVINCIAL GOVERNMENT

Several provincial ministries have policies and programs that influence municipal planning and land use. The Ministry of Housing (MOH) assumes the major role for municipal planning under its administration of the Planning Act. This act empowers municipalities to prepare official



plans; to pass bylaws restricting the use of land for certain purposes such as controlling the building of structures and establishing conditions for development or redevelopment; and to grant consents through municipal committees of adjustment or land division committees. The content of official plan and zoning bylaws is controlled or influenced by the province through applying ministerial policies and regulations in the review and approval process for official plans, zoning bylaws, consent policies, and related amendments.

Topics discussed under the MOH are planning controls of the ministry; the Ontario Municipal Board; the Planning Act Review Committee; new housing programs; urban development standards; existing housing programs; land assembly; the Ontario Land Corporation and its developments at North Pickering, Townsend, South Cayuga, and Edwardsburgh; and Urban Development in Rural Areas (UDIRA).

Other ministries that influence land use and municipal planning are Agriculture and Food, Environment, Natural Resources, and Transportation and Communications. Following is a discussion of the policies, programs, and legislation administered by each of these ministries as related to municipal planning. The role of TEIGA in municipal planning is also outlined, although TEIGA is not directly concerned with land use, rather the economic component of regional planning.

#### MINISTRY OF HOUSING (MOH)

The MOH is responsible for the administration of the Planning Act which delegates planning authority to various levels of municipal government. Regarding subdivision approvals, regional municipalities have been delegated authority under the Planning Act to make such approvals.

The MOH provides operational resources and technical assistance to municipalities to encourage effective community planning and renewal activity. The implementation of land use decisions occurs through the Minister's approval functions with respect to official plans;

interim land severance policies, and in some areas (Northern Ontario) regarding subdivisions, consents to sever individual lots; and zoning orders. In addition, the MOH also reviews zoning bylaws and applications dealing with quarries, trailer parks, and pipelines.

#### PLANS ADMINISTRATION DIVISION (PAD)

The PAD, composed of three branches - Subdivisions, Official Plans, and Operations and Development Control - is responsible for administering a wide range of approval functions provided under the Planning Act. In addition, the PAD provides technical planning advice to the Ontario Municipal Board (OMB), the provincial Cabinet, and other government bodies involved in land use planning. The responsibilities of each of these three branches are as follows.

##### Subdivisions Branch

This branch is responsible for approving subdivision and condominium plans, except where the approval authority has been delegated to regional municipalities. Referrals of such plans to the OMB are made by this branch when necessary.

##### Official Plans Branch

The Official Plans Branch evaluates and makes recommendations regarding applications made to the Minister for the approval of official plans, amendments to official plans, and the referral of such matters to the OMB. This branch also evaluates and recommends the endorsement of interim land severance and interim planning policies to the Minister and reviews housing policy statements.

##### Operations and Development Control Branch

Three sections compose this branch. The Administrative Support Section provides clerical, administrative, cartographic, and drafting support services to the PAD.

The Development Control Section administers the Minister's consents in Northern Ontario, Niagara Escarpment appeals, quarry applications, and the Minister's zoning orders. Consent activities are monitored and comments are provided to the OMB on zoning bylaws for areas other than regional municipalities.

The Operations Review Section provides research support for the PAD such as monitoring the approval process. It also implements the delegation of the Minister's authority under the Planning Act which includes subdivision, condominium, local official plans in regional municipalities, road closings, and consent approvals.

#### THE MOH ADVISORY ROLE AND FUNDING ASSISTANCE

These functions are mainly performed by the Community Planning Advisory Branch (CPAB). This branch concentrates its activities in smaller communities, under 10,000 people, where there is generally no professional planning staff. Community Planning Study Grants are provided to such communities for technical assistance. This branch was created to speed up the processing of planning applications and to improve planning services to local municipalities and the public at large.

The CPAB provides an advisory service through regional offices located in London, Ottawa, Sudbury, Thunder Bay, and Willowdale. These offices devote full time to giving specialist advice and direct technical assistance to municipalities on planning documents before they are submitted for approval. By the time an application is presented to the Plans Administration Division, which concentrates on expediting the approval process, any matters which could delay approval will likely have been eliminated. Thus the CPAB aids municipalities by identifying planning weaknesses and assessing trends in housing and planning which will facilitate the approval process.

## ONTARIO MUNICIPAL BOARD (OMB)

While preliminary approval powers for local planning matters rest with the MOH, appeals may be made to the OMB. The 19 member board is appointed by the provincial Cabinet via the Lieutenant-Governor in Council. The OMB has four major functions:

- the approval of capital expenditures by municipalities;
- assessment appeals;
- approval of matters under the Planning Act, i.e., zoning bylaws; redevelopment plans; committee of adjustment appeals; and official plans and subdivision plans upon referral by the Minister of Housing;
- municipal boundary revisions such as amalgamations and annexations.

Thus the OMB is a quasi-judicial body which administers policy and provides an avenue for appeal of decisions made by the Minister of Housing or delegated authorities. Should an appellant be dissatisfied with an OMB decision, a further appeal may be made to the provincial Cabinet via the Lieutenant-Governor in Council. The Cabinet usually deals with matters of policy. Questions of law are made to the Ontario Court of Appeal.

## PLANNING ACT REVIEW COMMITTEE

In 1975, the MOH established the Planning Act Review Committee to review the Planning Act and all related planning legislation and activities. There basic questions were examined, namely,

- What is municipal planning for?
- How does municipal planning operate in Ontario and what are the strengths and weaknesses of the present system? and
- How should the planning system be improved?

Public meetings were held throughout Ontario and the Committee submitted its report to the Minister of Housing in April 1977. Public comments on this document are being requested by the MOH up to October 15, 1977.

#### HOUSING AND COMMUNITY PLANNING PROGRAMS

In February 1977, the MOH released a report prepared by Peter Barnard Associates entitled "Ontario Housing Requirements 1976-2001", which projects current trends over the next 25 years. The five major conclusions of the report are:

- Growth in housing requirements have peaked but should remain at high levels until the mid 1980s;
- After 1986, all areas of the province should experience a substantial decline in new housing requirements;
- Housing requirements are sensitive to a number of variables, particularly changes in net migration;
- Single detached units and ownership should constitute an increasing share of new housing; and
- Most urban centres are planning for growth in excess of forecasts.

The MOH estimates that Ontario will require between 30,000 and 45,000 additional ac. (12,000 and 18,000 ha.) of serviced land between 1974 and 1984 to provide housing for the growth in population and new household formation. Auxiliary urban uses such as parks, schools, hospitals, and commercial areas will require more than 30,000 ac. (12,000 ha.).\*

The objectives of the MOH are:

- to increase the supply of new housing by bringing into production those serviced lands which might otherwise be left undeveloped for two or three years;
- to improve the existing housing stock through rehabilitating older housing and deteriorating neighbourhoods;

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\* MOH, Housing Ontario/74, p. 10.



- to discourage land and housing speculation through programs of public land assembly and by empowering regional and municipal governments to do the same. The Land Speculation Tax Act would also be applied;
- to broaden the mix of new housing by encouraging developers and municipal or community non-profit housing groups to provide well-designed, lower-cost accommodations; and
- to reduce financial and regulatory obstacles to housing through increased grants, loans, and mortgages. Government regulations and procedures which affect the cost of housing are to be simplified.

Following is a brief outline of MOH programs related to new housing, existing housing, and land assembly. A detailed description of these programs was produced by the MOH and is contained in "Housing Ontario" January/February 1976. This publication and amendments to it provide an up-to-date and handy reference for both citizens and planners.

### New Housing

#### The Ontario Housing Corporation (OHC)

The OHC is a Crown Corporation established in 1964 under the OHC Act. It administers the Housing Development Act and the Elderly Persons Housing Aid Act which legislate various rental shelter and home ownership programs. The OHC builds, manages, and otherwise finds rental accommodation for families and senior citizens through its subsidized rent-geared-to-income programs, and also makes houses and condominiums available for purchase at lower-than-market costs. Land is developed and marketed for the Home Ownership Made Easy (HOME) Program, discussed later in this chapter.

The Assisted Rental Housing Program provides rental assistance for apartments, townhouses, and single-family dwellings on a federal-provincial-municipal partnership. Many municipalities have a local housing authority (LHA) which is a decentralization of housing management by the MOH to the local level. There are currently 48 LHAs managing almost 40,000 units of assisted rental housing. Rental projects may be developed by a municipality, by the MOH, or by the private sector. Each of these three project types is briefly discussed.

For a municipally-developed project, a municipality acquires the site and develops the project on its own through a 90 per cent capital cost loan from the federal Central Mortgage and Housing Corporation (CMHC) arranged through the MOH.

MOH developed projects occur upon a municipal council request. The municipality would secure a site, re-zone it if necessary, and turn it over to the province for the proposed development. The municipality is reimbursed for the land. The province provides 10 per cent of the capital costs and the federal government lends the remaining 90 per cent.

Private sector programs related to assisted housing for families and senior citizens include the Rent Supplement Program, the Private Assisted Rental Program, and the Community Sponsored Housing Program.

Under the Rent Supplement Program, the MOH signs an agreement with landlords wishing to make a number of vacant units available in a private development for subsidized accommodation. Agreements are for three to five years with an annual review of rental rates to reflect changes in market rents.

The Private Assisted Rental Program was introduced in 1976 to encourage greater participation of the private sector in providing geared-to-income accommodation. The MOH calls for competitive proposals from builders to construct, own, and manage assisted rental housing projects in selected municipalities under agreements with the OHC. The builder must own or lease or have an option on the land on which he plans to build. Preference is given to sites which do not require rezoning. Agreements are in effect for a minimum of 15 years and a maximum of 35 years.

The Community Sponsored Housing Program began in 1974 to encourage community groups and municipalities to form non-profit corporations to build and operate rental housing for persons with low and moderate

incomes. This is a federal-provincial-municipal financed program involving CMHC, the MOH, and municipalities. Municipalities may form non-profit corporations to land bank, to build low-to-moderate-income housing, or for purchasing and renovating existing housing. Municipalities can also purchase land through the tri-level Municipal Land Development program.

#### Ontario Rental Construction Grant

This grant was established in 1977 to provide assistance, in addition to the federal Assisted Rental Program (ARP), in those communities where federal assistance to builders is insufficient to permit the production of moderately priced rental housing. The combination of this program and the ARP provides assistance of up to \$1,800 per unit for the first year of a normally 10 year decreasing support period. The two programs make rental construction more feasible by reducing the gap between full recovery rents and actual market rents.

#### AHOP/HOME

The federal Assisted Home Ownership Program (AHOP) and the provincial Home Ownership Made Easy (HOME) Plan were integrated in March 1977 to offer increased financial assistance to a wider range of lower-income home buyers. The AHOP/HOME program will reduce minimum annual income requirements for qualified purchasers of new homes by as much as \$2,500 below existing AHOP levels. The AHOP/HOME assistance is available throughout Ontario, not only in selective communities as was the policy under the previous HOME program. In order to avoid federal-provincial duplication of effort, AHOP/HOME will be administered by the federal government through CMHC.

AHOP is designed primarily to bring the effective mortgage interest rates down to 8 per cent during the first year of occupancy, through a loan for people buying newly-built homes within specific price ranges.

Related to AHOP is the federal/provincial Municipal Incentive Program under which a \$1,000-per-unit grant is given to municipalities that approve medium density housing projects priced within AHOP ranges. An aim of this incentive program is to construct smaller houses in slightly higher densities which will reduce the impact on farmland required for residential purposes.

The AHOP/HOME program is discussed again later in this chapter as it relates to land assembly.

#### Urban Development Standards Study

The MOH released this study for comment in March 1976. The major objective was to examine the ways and means by which the development costs of new single family housing subdivisions could be lowered. Existing development standards were reviewed and analyses were made of reducing such standards where they appeared to be excessive. Alternative development approaches were suggested. Criteria examined include lot sizes, set-backs, road rights-of-way and pavement widths, plus engineering services contained within rights-of-way.

This study was widely circulated for comment to municipalities and other agencies and groups, both public and private, concerned with the provision of housing within a sound planning framework. At the present time, the MOH is encouraging municipalities to consider adopting the study proposals. In addition to cost savings, adoption of these standards could mean farmland preservation since less land would be required to house more people. Long term prospects for mass transit would be increased since the number of potential users per mile of route would increase.

In 1977, the Minister of Housing will be making further recommendations in the following areas related to urban development standards:\*

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\* Background, January 14, 1977, p. 6.

- a new set of urban site planning and engineering standards;
- the implications of the adoption of the use of new standards for municipal costs and revenues; and
- how to pass cost savings achieved through new standards on to the home buyer.

### Existing Housing

The MOH provides services for urban renewal, neighbourhood improvement, and housing rehabilitation. Two programs are administered, namely, the provincial Ontario Home Renewal Program (OHRP), OHRP (Rental), and the Ontario Downtown Revitalization Program (ODRP); and the federal Neighbourhood Improvement Program (NIP) and Residential Rehabilitation Assistance Program (RRAP). A brief discussion of these five programs follows.

#### Ontario Home Renewal Program (OHRP)

The OHRP, begun in 1974, provides per capita grants to municipalities which make loans to home-owners with family incomes of less than \$12,500. Loans are used to repair faulty structural and sanitary conditions and to upgrade plumbing, heating, and electrical systems. The maximum amount of an OHRP loan is \$7,500, less any federal funding.

A review of the OHRP was made in early 1977 by Peter Barnard Associates. The report, "An Evaluation of the Ontario Home Renewal Program", was circulated to all municipalities participating in the OHRP. To date, approximately \$45 million has been provided by the province and about 475 communities are participating in the program.

#### OHRP (Rental)

This is an extension of the OHRP and is directed to the rehabilitation of substandard dwelling units occupied primarily by tenants with low and moderate incomes. Rehabilitation involves faulty structural and sanitary conditions and an upgrading of plumbing, heating, and



electrical systems. It applies to buildings of four storeys or less and can be used for the conversion of existing single family dwellings to create new family rental accommodation.

#### Ontario Downtown Revitalization Program (ODRP)

The objectives of this program, begun in September 1976, are:\*

- to revitalize core areas in smaller and medium sized Ontario municipalities with a maximum population of 125,000 by providing financial assistance, at favourable terms, where the need for assistance can be justified, and where core revitalization is in accordance with provincial policies;
- to stabilize or improve the property and business tax base within these downtown areas;
- to make more effective use of existing municipal infrastructure in downtown areas;
- to re-establish a viable role for downtown areas;
- to sustain the social, cultural, and economic facilities and opportunities within downtown areas; and
- to finance specific revitalization projects which in turn will stimulate implementation of the remainder of a municipality's official plan.

Eligible costs include:

- the acquisition and/or clearance of land for a revitalization project;
- acquisition and rehabilitation of an existing key anchor building;
- installation of a public open or covered mall or semi-mall; and
- improvement to ancillary services such as water, sewers, and/or roads where such improvement will result in revitalization.

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\* Housing Ontario, September/October 1976, p.4.

## Neighbourhood Improvement Program (NIP)

A federal-provincial agreement was signed on December 10, 1973 whereby CMHC provides outright grants up to 50 per cent of total costs and loans covering up to 75 per cent of the remaining costs. The provincial support is a constant 25 per cent. NIP grants are for the preparation and implementation of neighbourhood improvement plans, including land acquisition and clearance, the provision of social and recreational facilities, and building maintenance.

## Residential Rehabilitation Assistance Program (RRAP)

RRAP provides partly forgivable loans up to \$10,000 to low and moderate income home-owners in NIP areas for rehabilitating property to minimum occupancy and building maintenance standards. The RRAP is now available in rural areas not covered by the NIP.

## Land Assembly

### Ontario Government Land Assembly

Through the Ontario Housing Corporation (OHC), the Ontario government assembles land to provide an orderly flow of land onto the market over the short and long-term periods. Thus the province can facilitate housing programs, influence community and land use planning, and stabilize lot prices. The provincial HOME plan is co-ordinated with the federal Assisted Home Ownership Plan (AHOP) through the new AHOP/HOME plan. This joint federal-provincial program applies to the entire province.

The MOH and the OHC control approximately 23,000 ac. (9,200 ha.) of land.\* Land accumulated either directly by the province or through

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\* Housing Ontario, March/April 1977, p. 15.

a federal-provincial partnership will continue to be developed primarily for housing under the new AHOP/HOME plan. Provincial land will only be developed under two broad guidelines, namely, where marketing studies indicate sufficient demand and when a municipality or regional government believes that development is appropriate and timely. Thus local councils will have an increasing role in future housing construction programs. It is also government policy, wherever possible, to market approved serviced land to the building industry for the construction of no-frill modest homes which must qualify under AHOP/HOME assistance.

The MOH plans to sell land sufficient for 3,000 to 4,000 land units per year, depending on demands in various parts of the province. Lands units are single lots, semi-detached lots, or blocks of land on which a sufficient number of residential units will be built.

This new provincial land development policy does not mean that there will be no future land banking, but at the present time the MOH will provide additional affordable housing through other methods. These include assisting municipalities with servicing through interest-free loans, expediting development approvals, urging acceptances of new MOH development standards, and taking advantage of existing MOH land banks.

Larger land holdings of the OHC include 5,574 ac. (2,230 ha.) in Carlsbad Springs; 2,962 ac. (1,185 ha.) in Cambridge/Waterloo; 2,365 ac. (946 ha.) in North Whitby; 2,332 ac. (933 ha.) in Milton South, formerly Oakville North; 1,269 ac. (508 ha.) in South Oakville; 980 ac. (392 ha.) in Brantford Township; and 800 ac. (320 ha.) in Malvern. Much of the land was purchased for long-term land banking and is not presently being developed. About 3,300 ac. (1,320 ha.) are held by the federal-provincial partnership.

In addition to the 23,000 ac. (9,200 ha.), the province also holds land at the new community sites, discussed later in this chapter, of North Pickering (25,200 ac. or 10,080 ha.) and Townsend (13,500 ac. or 5,400 ha.).

## Municipal Land Development Program

On June 18, 1974, the Housing Development Amendment Act was given Royal assent. Prior to this act, municipalities were not permitted to purchase land for housing. Under this amendment to the Housing Development Act, a municipal council may:

- acquire and hold land, with or without buildings, for the purpose of a housing project;
- survey, clear, grade, subdivide, and service land for a project; and
- sell, lease, or otherwise dispose of land for a nominal or other consideration for housing purposes.

Specifically, this program is intended to:

- make serviced residential land available where such land is scarce or unavailable;
- make serviced land available at a reasonable cost to families who have difficulty buying land at current market rates; and
- provide land for the production of rental housing by the private sector, the municipality, or community-sponsored agencies under the Community Housing Development policy of the MOH.

The MOH has established the municipal land development unit to administer this program. This unit will assist in the selection, review, and processing of suitable land. Municipal acquisition and development of residential land aids in the provision of reasonably priced land. Such land is sold or leased in the form of serviced lots to individuals and builders. A housing policy statement, or an official plan with housing provisions, approved by the Minister of Housing, is a pre-requisite for municipal acquisition of land for housing.

Funding of this program is through CMHC and Section 42 of the National Housing Act which provides for loans of up to 90 per cent of the appraised cost of acquisition and servicing. Once the province has approved a municipality's housing policy statement, CMHC will review a loan application.

### Ontario Land Corporation (OLC)

The OLC was established under the OLC Act, 1974. It came into existence on March 19, 1975 when the Lieutenant-Governor proclaimed the OLC Act. "The principal object of the Corporation is to assist in the promotion of community and industrial development of land in Ontario by the acquisition of land and the disposal of it to persons in the private and government sectors for residential, community, industrial, governmental, and commercial development".\* The board of directors consists of between six and 12 members appointed by the Lieutenant- Governor for a term not exceeding three years. The OLC is part of TEIGA which has management agreements with the MOH.

#### Purchase of Lands

The OLC holds approximately 57,000 ac. (22,800 ha.) of land. Lands have been acquired in the areas of North Pickering, Townsend, South Cayuga, and Edwardsburgh. Following is a brief discussion of each of these land developments, the new communities approach to urban land development.

#### North Pickering

This project was announced by the government in March 1972 and involves a 25,200 ac. (10,080 ha.) site northeast of Metro Toronto. The North Pickering Development Corporation (NPDC) was established under the NPDC Act, 1974, which was proclaimed on July 30, 1975. The total acreage held in the North Pickering area as of March 31, 1976, was 20,084 ac. (8,034 ha.) with an additional 646 ac. (258 ha.) in various stages of arbitration. Property management was initially handled by the MOH but on June 1, 1976, the NPDC assumed this function.

The projected population of 75,000 over 15 to 20 years and a housing stock of 23,000 units will play an important role in the long term housing strategy for the Toronto region. It will also help channel economic growth towards the regional municipality of Durham and in reducing growth pressures in Metro Toronto and the area west of Metro.

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\* OLC Annual Report 1976, p. 2.



A major aspect of the North Pickering plan is the preservation and enhancement of agricultural land which has resulted in 10,400 ac. (4,160 ha.) on the west, Metro, side of the site being set aside for long term agricultural use. Two other planning areas are outlined. There is a 6,800 ac. (2,720 ha.) urban area on the east or Oshawa side of the site. An 8,000 ac. (3,200 ha.) open space system on the west and south periphery will act as a buffer between communities and will provide for agricultural and recreational uses plus transportation and utility corridors.

The decision to halt the development of an airport at Pickering will not alter Ontario's plans to develop this new community. The NPDC is reviewing a draft plan developed by the MOH and is awaiting approval of the Durham Regional Plan. Following this approval, a final plan for development will be produced.

#### Townsend

The 13,500 ac. (5,400 ha.) Townsend site was acquired by the province in 1974 as a new town development to house the increasing population of the regional municipality of Haldimand-Norfolk resulting from industrial development along the Lake Erie shore. This development includes an Ontario Hydro generating station, a Texaco refinery, and a Steel Company of Canada mill. Industrial developments are expected to attract over 100,000 people, employees and their families, of the projected 200,000 people in Haldimand-Norfolk by 2001. The current population approximates 90,000.

The MOH assumed responsibility for planning Townsend on April 1, 1975. The first neighbourhood will accommodate 5,000 with the first housing available in 1978.

## South Cayuga

This land assembly has 12,690 ac. (5,076 ha.) which were acquired in 1974 to provide a land bank for very long term residential and industrial development. However, with the development of Townsend, the South Cayuga assembly is now part of a leasing program and no decision has been taken regarding its long term development potential.

## Edwardsburgh

Land acquisition in Edwardsburgh Township adjacent to the town of Prescott was announced in the Legislature in January, 1975. There have been 10,425 ac. (4,170 ha.) acquired or under option on behalf of the OLC. The purpose of this land assembly is to provide a well planned area for a long term heavy industrial complex. Lands are being identified for industrial, agricultural, forestry, and recreational uses. Environmentally sensitive and marginal lands which should remain in their natural state are also identified. The social, economic, and environmental ramifications of a large industrial complex are being studied.

## Urban Development in Rural Areas (UDIRA)

In 1966, the province issued a statement by the then Minister of Municipal Affairs, the Honourable J.W. Spooner, which was designed to set clear guidelines reflecting government policy relative to urban development in rural areas. This was necessary because many examples of poor urban development in rural areas were being created. These included the lack of adequate standards of services and the imposition of undue strain on municipal, financial, and administrative resources.

In essence, the statement advocated the adoption of the following policies:

- that urban residential development should take place in municipalities with an adequate administrative organization to cope with urban problems and which are equipped to provide and maintain the necessary urban services;

- that urban development be properly integrated in an existing or proposed urban community;
- that there be a proven demand for the development; and
- appropriate land use regulations are in existence or introduced.

The policy has been somewhat modified by statements from subsequent Ministers: briefly, in 1968, the then Minister of Municipal Affairs, the Honourable W. Darcy McKeough, confirmed the Spooner speech and emphasized the necessity for urban development to proceed within a sound planning framework.

In 1975, the Minister of Housing modified the existing UDIRA policy by relaxing consent restrictions regarding:

- minimum lot size to better reflect local conditions, e.g. eliminating the commonly used 25 ac. (10 ha.) minimum lot size which is rarely viable as a farm unit and wastes land when used for residential property; and
- intra-family sales, where the grantee intends to reside on the lot.

It was also proposed to help land division committees establish interim land severance policies in order to protect resource lands, including agricultural land, unique biological and geological sites, etc.

The last modification was made in 1976 by the Minister of Housing and dealt specifically with Northern Ontario. Greater weight is now given to the municipal approval of consent applications, unless severe technical problems such as health problems associated with septic tank installations, are encountered.

#### MINISTRY OF AGRICULTURE AND FOOD (MAF)

The involvement of the MAF in municipal land use planning has been evolving over the past three years. In 1974, the Food Land Development Branch was established to ensure that agricultural concerns were considered in land use decisions. In March 1976, the MAF issued a

a policy statement entitled "A Strategy for Ontario Farmland". Two broad initiatives were outlined in this Strategy, namely, take measures to ensure the retention of the best lands for agricultural production and establish programs to maintain the economic feasibility of using this land. The first initiative relies on municipal planning and control whereas the second initiative has direct MAF involvement.

In February 1977, the MAF issued a "Green Paper on Planning for Agriculture: Food Land Guidelines". These Guidelines elaborate on the 1976 Strategy document. This Green Paper is a discussion paper and is not official government policy, although the MAF is basing its review of local planning decisions on these guidelines. Comments were requested by the MAF between March and August 1977. Several municipalities have already incorporated agricultural concerns in their official plan statements. The Northumberland Area Task Force, in writing its development strategy, used the agricultural priority as the general basis on which other priorities were established. This development strategy has yet to be drafted as an official plan statement. Huron County based its official plan and subsequent studies on a broad agricultural perspective. Also, the regional municipalities of Durham and Waterloo have outlined agricultural areas and other uses considered complimentary within such areas. Additional discussions of these guidelines may be found in Chapter VI of this report.

#### MINISTRY OF THE ENVIRONMENT (MOE)

The role of the MOE and municipal planning was discussed in Chapter IV.

#### MINISTRY OF NATURAL RESOURCES (MNR)

The Division of Lands reviews development proposals of individuals, private concerns, other government agencies, and municipalities to ensure that such proposals are compatible with MNR objectives and programs. Development proposals are reviewed and commented upon by the MNR to ensure maintenance of the natural environment and a continuing

productivity of provincial resources. The MNR reviews subdivision, severance, and other specific development and official plan proposals and makes recommendations to the MOH or to regions possessing delegated approval functions.

The Strategic Land Use Plan (SLUP), when completed and approved, will serve as the official co-ordinating guide for all MNR programs requiring land. The finalization of the SLUP is scheduled for late 1977.

Most residential land is controlled by the private sector. However, Crown land is made available for housing sites in Northern Ontario which are within or adjacent to municipal or community boundaries. There are two types of residential lots, individual locations and townsite lots. Individual locations, from one-half to one acre, are within areas administered by municipalities. This type of lot is generally held by lease with a basic annual rent of 10 per cent of appraised market value. Townsite lots are within small communities and are laid out in subdivisions, each lot from one-third to one acre. Some lots are serviced with hydro, water, or sewers. Such lots are sold at market value. For both types of lots, an applicant must build a home within two years of acquisition with a minimum value of \$2,000 and a minimum floor area of 320 sq. ft. (29 sq. m.),

Legislation administered by the MNR as related to municipal planning includes the Public Lands Act, relates to all uses on Crown lands; the Wilderness Areas Act, public land may be set aside as a wilderness area for the preservation of the area in its natural state; the Trees Act, giving municipalities the power to regulate the destruction of trees; and The Pits and Quarries Act, regulating the removal of aggregates.

#### MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (MTC)

The Land Use Group of the MTC reviews and comments on draft official plans throughout the province and reviews subdivision plans. The MTC conducts environmental assessments under the Environmental Assessment



Act as related to municipal projects. Examples of such projects include the widening of highways, freeway upgrading, new interchanges, service centres, and new or modified water crossings.

The Municipal Planning Office of the MTC administers urban transportation planning and road needs studies. The MTC has provided assistance for municipal transportation planning studies in Brantford, Oakville, Regional Durham, Regional Halton, and Metro Toronto. Such studies evaluate alternative urban development plans and multi-modal transportation systems. A provincial policy on railway relocation studies has also been initiated by the Municipal Planning Office. Five proposed pilot centres for study are Brantford, Niagara Falls, North Bay, St. Thomas, and Sudbury.

#### MINISTRY OF TREASURY, ECONOMICS, AND INTERGOVERNMENTAL AFFAIRS (TEIGA)

The Department of Treasury and Economics had responsibility for research and planning activities of the Design for Development program between 1967 and 1971. TEIGA was formed in 1972 and assumed responsibility for the initiation and implementation of regional development and regional government programs. As previously stated, the MOH was created in 1973 and has since assumed most of the provincial administration of official plans and local planning.

In the spring of 1976, the Economic Development Branch (EDB) of TEIGA replaced the former Regional Development Branch. The EDB is responsible for preparing broad provincial policy plans for each of the five planning regions. A goal of the regional development concept is that all five planning regions should participate more equally in overall economic growth to aid in the reduction of regional disparities. Thus in theory, the role of the EDB is to co-ordinate other provincial ministries regarding development strategies for the five regions. The EDB utilizes interministerial input to develop the economic policy component for the regional planning strategies.

This 1976 reorganisation of TEIGA signified a major shift in the Design for Development program. TEIGA is no longer involved in land use, per se, and its responsibility is limited to the economic component of regional planning. It is the hope of the provincial government that TEIGA can act as a co-ordinating secretariat for the other line or operating ministries with respect to regional planning. The first major test as to the effectiveness of this co-ordinating role will be when the strategy for Northwestern Ontario is presented to Cabinet in 1977. Within the current provincial planning process, there is a diffusion of regional land use planning among government ministries and between the government and municipalities. Regional land use planning has shifted from TEIGA to the other ministries with TEIGA assuming an economic development planning function.

In 1977, Design for Development shifted its focus. Municipal planning is to play a larger role and the comprehensive, all-encompassing provincial plan approach of the late 1960s and early 1970s has been abandoned. Thus statements published under Design for Development through the 'Trends and Options' document in 1976 and the earlier "TCR Program Statement" are in many cases inapplicable to 1977 provincial planning in Ontario. In summary, TEIGA's central policy advisory role in regional planning has been diffused and has been replaced by more direct municipal involvement; also, direct planning responsibilities are being assumed by other provincial ministries.

## VI

### *AGRICULTURE*

Between 1951 and 1971, the structure of Ontario farms changed greatly. The average capital value rose from \$16,996 to \$72,820.\* The total per farm value of principal field crops rose from \$3,007 to \$6,439.\*\* The agricultural picture in Ontario is determined by a combination of land, labour, capital, and credit. Each of these factors is discussed briefly as related to farming in Ontario.

The discussion of agricultural land use in Ontario is related to population growth rates and distribution. Agricultural land use in the COLUC area is discussed in detail; this area is experiencing the most rapid population growth and potential loss of agricultural lands.

Land use conflicts associated with agricultural land uses are outlined. Because of the importance of the Niagara Peninsula to agriculture, agricultural land preservation in the peninsula is discussed. This is followed by a discussion of the policies, programs, and legislation administered by the various ministries that are most concerned with agriculture, namely, the Ministries of Agriculture and Food, Energy, Environment, Housing, Natural Resources, Revenue, Transportation and Communications, and TEIGA. Federal-Provincial programs outlined are ARDA, the Small Farm Development Program, and Agricultural Flood Control Agreements.

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\* Ministry of Agriculture, Agriculture Statistics for Ontario, 1975, Table 14.

\*\* Agricultural Statistics for Ontario, 1973, Table 19.

## AGRICULTURAL INPUTS

### LAND

As mentioned in Chapter II, the total number of farms has been decreasing since 1950. This decrease can be mainly attributed to urbanization, marginal farm land abandonment, and the merging of farms into larger units.

From Table 3, the number of census farms decreased while the average acreage per farm increased between 1951 and 1976. The total census farm area also decreased and represented 1.5 percent of the land area of the province in 1976. The percent of the total provincial population on census farms decreased by 300 percent between 1951 and 1971, from 15.3 to 5.1 percent. The average number of acres per farm has increased since 1921.

Between 1921 and 1941, the acreage of improved land increased. Since 1941, improved acreage has decreased thus corresponding with the decrease in total farm area; see Table 4.

Soil capability classes are frequently discussed when evaluating losses of agricultural lands. Table 5 provides the approximate acreage of soil capability classes in Southern and Northern Ontario. Classes 1 and 2 are particularly important in the COLUC area.

### LABOUR

The number of people living on Ontario farms has decreased since 1931. This decline can likely be attributed to increases in service industries in urban areas, increased mechanization, and improved farm production technologies.

TABLE 3

## ONTARIO CENSUS FARM POPULATION, NUMBERS, AND SIZE 1921 - 1971

| YEAR | NUMBER<br>OF FARMS | AC.<br>PER<br>FARM | HA.<br>PER<br>FARM | TOTAL FARM AREA<br>AC. | HA.       | % OF TOTAL AREA<br>AREA IN FARMS | POPULATION<br>ON FARMS | % OF PROVINCIAL<br>POPULATION<br>ON FARMS |
|------|--------------------|--------------------|--------------------|------------------------|-----------|----------------------------------|------------------------|---|
| 1921 | 198,053            | 114                | 46                 | 22,628,901             | 9,051,560 | 10.6                             | -                      | -   |
| 1931 | 192,174            | 119                | 48                 | 22,840,898             | 9,136,359 | 10.7                             | 800,960                | 23.3                                      |
| 1941 | 178,204            | 126                | 50                 | 22,387,981             | 8,955,192 | 10.5                             | 704,420                | 18.6                                      |
| 1951 | 149,420            | 139                | 56                 | 20,880,054             | 8,352,022 | 9.8                              | 702,778                | 15.3                                      |
| 1961 | 121,333            | 153                | 61                 | 18,578,507             | 7,431,403 | 8.4                              | 524,490                | 8.4                                       |
| 1971 | 94,722             | 169                | 68                 | 15,963,056             | 6,385,222 | 7.0                              | 391,713                | 5.1                                       |

Source: Statistics Canada, 1971 Census, Cat. No. 96-707, June 1973, Table 2.

Statistics Canada, 1976 Census, Cat. No. 96-856, June 1977, Table B.



TABLE 4

## USE OF FARM LAND IN ONTARIO, 1921 TO 1976, AND IN CANADA, 1976

| USE (ACRES)           | 1921       | 1931       | 1941       | 1951       | 1961       | 1971       | 1976       | 1976<br>(CANADA) |
|-----------------------|------------|------------|------------|------------|------------|------------|------------|------------------|
| Improved Land         | 13,169,359 | 13,272,986 | 13,363,361 | 12,693,250 | 12,032,924 | 10,864,601 | 10,707,799 | 82,072,428       |
| Under Crops*          | 9,381,017  | 9,590,735  | 9,261,626  | 8,645,302  | 7,990,358  | 7,855,890  | 8,438,192  | 52,834,161       |
| Pasture               | 3,041,547  | 2,943,567  | 3,237,865  | 3,235,345  | 3,295,609  | 2,336,446  | 1,755,028  | 7,818,132        |
| Summer Fallow         | 526,180**  | 344,634    | 320,765    | 333,764    | 244,842    | 237,916    | 171,310    | 19,451,529       |
| Other Improved Land   | 220,615    | 394,050    | 543,105    | 478,839    | 502,115    | 434,349    | 343,269    | 1,968,606        |
| Unimproved Land       | 9,459,542  | 9,567,912  | 9,024,620  | 8,186,804  | 6,545,583  | 5,098,455  | 4,036,525  | 57,423,395       |
| Woodland              | 4,514,668  | 4,702,459  | 3,864,869  | 3,852,774  | 3,257,589  | 2,300,621  | 1,880,432  | 13,744,952       |
| Other Unimproved Land | 4,944,874  | 4,865,453  | 5,159,751  | 4,334,030  | 3,287,994  | 2,797,834  | 2,156,093  | 43,678,443       |

\*Includes field, vegetable, fruit, and nursery crop land.

\*\*Includes idle land.

Sources: Statistics Canada, 1971 Census, Cat. No. 96-707, June 1973, Table 2.

Statistics Canada, 1971 Census, Cat. No. 96-701, Table 30.

Statistics Canada, 1976 Census, Cat. No. 96-854, May 1977, Table 12.

Statistics Canada, 1976 Census, Cat. No. 96-856, June 1977, Table R.

TABLE 4

## USE OF FARM LAND IN ONTARIO, 1921 TO 1976, AND IN CANADA, 1976

| Use (Hectares)        | 1921      | 1931      | 1941      | 1951      | 1961      | 1971      | 1976      | 1976<br>(CANADA) |
|-----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------------|
| Improved Land         | 5,267,744 | 5,309,194 | 5,345,344 | 5,077,300 | 4,813,170 | 4,345,840 | 4,283,120 | 32,828,971       |
| Under Crops*          | 3,752,407 | 3,836,294 | 3,704,650 | 3,458,121 | 3,196,143 | 3,142,356 | 3,375,277 | 21,133,664       |
| Pasture               | 1,216,619 | 1,177,427 | 1,295,146 | 1,294,138 | 1,318,244 | 934,578   | 702,011   | 3,127,253        |
| Summer Fallow         | 210,472** | 137,854   | 128,306   | 133,506   | 97,937    | 95,166    | 68,524    | 7,780,612        |
| Other Improved Land   | 88,246    | 157,620   | 217,242   | 191,536   | 200,846   | 173,740   | 137,308   | 787,442          |
| Unimproved Land       | 3,783,817 | 3,827,165 | 3,609,848 | 3,274,722 | 2,618,233 | 2,039,382 | 1,614,610 | 22,969,358       |
| Woodland              | 1,805,867 | 1,880,984 | 1,545,948 | 1,541,110 | 1,303,036 | 920,248   | 752,173   | 5,497,981        |
| Other Unimproved Land | 1,977,950 | 1,946,181 | 2,063,900 | 1,733,612 | 1,315,198 | 1,119,134 | 862,437   | 17,471,377       |

\*Includes field, vegetable, fruit, and nursery crop land.

\*\*Includes idle land.

Sources: Statistics Canada, 1971 Census, Cat. No. 96-707, June 1973, Table 2.

Statistics Canada, 1971 Census, Cat. No. 96-701, Table 30.

Statistics Canada, 1976 Census, Cat. No. 96-854, May 1977, Table 12.

TABLE 5

## 1974 SOIL CAPABILITY CLASSES EXPRESSED IN ACRES AND HECTARES

| SOUTHERN ONTARIO |                       |             | NORTHERN ONTARIO |                          |             |
|------------------|-----------------------|-------------|------------------|--------------------------|-------------|
| CLASS            | MILLION               | % OF        | CLASS            | MILLION                  | % OF        |
|                  | AC. HA.               | TOTAL       |                  | AC. HA.                  | TOTAL       |
| 1                | 4.9 2.0               | 17.3        | 1                | - -                      | 0.0         |
| 2                | 4.9 2.0               | 17.3        | 2                | 0.8 0.3                  | 0.4         |
| 3                | 3.2 1.3               | 11.2        | 3                | 1.8 0.7                  | 0.9         |
| 4                | 1.8 0.7               | 6.3         | 4                | 1.3 0.5                  | 0.6         |
| 5                | 1.9 0.8               | 6.7         | 5                | 2.1 0.8                  | 1.7         |
| 6                | 2.2 0.9               | 7.7         | 6                | 1.2 0.5                  | 0.6         |
| 7                | <u>9.5</u> <u>3.8</u> | <u>33.5</u> | 7                | <u>188.9</u> <u>75.0</u> | <u>95.8</u> |
| <u>TOTAL</u>     | 28.4 11.5             | 100.0       |                  | 196.1 78.4               | 100.0       |

Source: D.W. Hoffman, "Notes on Agriculture", Vol. X, No. 2, 1974.

TABLE 6

AGE OF FARM OPERATORS, ACCORDING  
TO NUMBER OF FARMS IN ONTARIO  
AND CANADA, 1961, 1971, AND 1976

| AGE OF OPERATOR | CANADA  |         |         | ONTARIO |        |        |
|-----------------|---------|---------|---------|---------|--------|--------|
|                 | 1961    | 1971    | 1976    | 1961    | 1971   | 1976   |
| Under 25 years  | 12,354  | 8,649   | 11,335  | 2,349   | 1,688  | 1,537  |
| %               | 2.6     | 2.4     | 3.8     | 1.9     | 1.8    | 2.0    |
| 25 - 44 years   | 186,969 | 130,317 | 112,480 | 43,638  | 33,559 | 28,220 |
| %               | 38.9    | 35.6    | 37.5    | 36.0    | 35.4   | 36.7   |
| 45 - 64 years   | 225,258 | 187,413 | 147,828 | 58,739  | 47,238 | 38,226 |
| %               | 46.8    | 5.2     | 49.2    | 48.5    | 49.9   | 49.6   |
| Over 64 years   | 56,322  | 39,749  | 28,475  | 16,507  | 12,237 | 9,000  |
| %               | 11.7    | 10.8    | 9.5     | 13.6    | 12.9   | 11.7   |
| TOTAL           | 480,903 | 366,128 | 300,118 | 121,233 | 94,722 | 76,983 |
| % OF CANADA     | 100.0   | 100.0   | 100.0   | 25.2    | 25.9   | 25.7   |

Source: Statistics Canada, Advanced Bulletins of Agriculture, 1961 and 1971 Censuses. 1976 Census, Cat. No. 96-856

Age of the farm operator supports the decrease in farm population. From Table 6, between 1961 and 1976 the number of farmers in the 25-44 age category decreased by over 15,000. It is during this range of years that farmers tend to be most growth-oriented. Operators in the 45-64 age category represent almost 50 percent of the Ontario farmers. This corresponds to the Canadian average. Thus the trend in both Canada and Ontario is a decrease in the younger farmers. With Ontario having over 25 percent of all farmers in Canada, this decrease in young farmers coupled with a loss of Classes 1, 2, and 3 agricultural land could have serious repercussions for future food production.

In comparison with other goods, the demand for farmproducts has risen at a slower rate. Thus many farmers supplement their farm incomes through part-time or full-time off-farm employment.

The agricultural labour force will likely continue to diminish as the productivity per man/hour increases, farm labour is seasonal and uncertain, the supply of competent workers declines, and mechanization increases.

Land tenure statistics also support the decreasing trend in the number of farmers and the decrease in farm ownership. Between 1961 and 1971, farm owner-operators decreased from 97,157 to 69,892. The decrease in Canada was almost 100,000.

#### CAPITAL AND CREDIT

Agricultural technology changes cause changes in the fiscal and financial structure of agriculture. Capital items are substituted for land and labour, thus the proportion of purchased inputs rises. The average capital value per farm has risen from \$8,528 in 1921 to \$209,158 in 1976. Between 1971 and 1976, the capital value increased by almost 300 percent from \$72,819 to \$209,158.

In 1976, over 21,000 of 76,983 census farms reported yearly gross farm sales of under \$5,000. In 1961, there were 43,091 Ontario farmers reporting gross farm receipts of \$5,000 or more. This number increased to 52,351 in 1971 and 55,572 in 1976. For farms producing \$10,000 and more of products, the 1961, 1971, and 1976 figures were 19,190, 35,824, and 32,854 units, respectively. Only 15 percent of Ontario farms had sales of over \$25,000 in 1970, but this number produced 60 percent of all farm products.\* In 1976, the percentage of farms with sales over \$25,000 was 64 percent; 10 percent of the farms had sales over \$75,000.\*\*

There is a shortage of low-interest long-term farm credit. Provincial capital grants exist and totalled \$24.5 million in fiscal 1973. However, in fiscal 1974 a \$10 million maximum was placed on grants. The effect of this ceiling was that money for loans expired in mid 1973 and applications were held over until 1974. Thus maximum agricultural production was hindered as capital demands could not be met.

#### COLUC AND AGRICULTURAL LAND USE\*\*\*

Population growth in COLUC has serious implications on the rural resource base. It is expected that six to eight million people will live in COLUC by the year 2000. The increasing amount of land utilized for urban development plus the fragmentation of land ownership is shrinking the resource base. Rural non-farm residential uses are rapidly increasing with deleterious effects on agricultural production.

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\* Ontario Federation of Agriculture, Brief to the Prime Minister and Cabinet of Ontario, March 1974, p. 3.

\*\* 1976 Census of Canada, Cat. No. 96-855, Table 14.

\*\*\* COLUC Task Force Report, December 1974, pp. 35-38.



Table 7 shows the land capability for agricultural for Canada and Ontario. Over 50 percent of Canada's Class 1 land is in Ontario. COLUC contains 11 percent of Ontario's Class 1 and 2 soils and 8 percent, 900,000 ac.(360,000 ha.),of the provinces's improved farm land. The total land area of COLUC is approximately 2 million ac. (0.8 million ha.).

TABLE 7  
LAND CAPABILITY FOR AGRICULTURE

| <u>CLASS</u> | <u>CANADA</u><br>(EXCLUDING. B.C.)<br>'000s |                 | <u>ONTARIO</u><br>'000s |                |
|--------------|---|-----------------|-------------------------|----------------|
|              | <u>AC.</u>                                  | <u>HA.</u>      | <u>AC.</u>              | <u>HA.</u>     |
|              |   |                 |                         |                |
| 1            | 10,809.0                                    | 4,323.6         | 5,552.3                 | 2,220.9        |
| 2            | 41,887.0                                    | 16,754.8        | 5,825.9                 | 2,330.4        |
| 3            | 64,902.0                                    | 25,960.8        | 8,095.9                 | 3,238.4        |
| 4            | 61,815.0                                    | 24,726.0        | 7,165.7                 | 2,866.3        |
| 5            | 67,617.0                                    | 27,046.8        | 4,715.2                 | 1,886.1        |
| 6            | 34,888.0                                    | 13,955.2        | 2,944.0                 | 1,177.6        |
| Organic      | <u>50,155.0</u>                             | <u>20,062.0</u> | <u>5,310.2</u>          | <u>2,124.1</u> |
| Total        | 332,072.0                                   | 132,828.8       | 39,609.2                | 15,843.8       |

Source: Soil Research Institute of Agriculture Canada, and C.L.I.,  
Lands Directorate, Environment Canada.

Between 1966 and 1971, an average of 26,800 ac. (10,720 ha.) of improved land went out of production annually in the COLUC area. Much of this land lies idle and speculative.

The most critical agricultural issue in the mature COLUC is the scale of population by the year 2000. Both six to eight million people and a viable agricultural base cannot be sustained. Estimates prior to May

1970 indicated that the two-tier urban government structure could consume an additional 200,000 ac. (80,000 ha.) of Class 1 and 2 land and jeopardize the agricultural use of another 100,000 ac (40,000 ha.). Lower classed lands would also be affected.

The loss of agricultural lands is not only a function of the size and number of urban places. Much farm acreage is lost annually in the severance granting process. In COLUC, the number of lots created annually by severance equals the lots in registered subdivisions. These fragmented holdings put added pressures on servicing costs and the social fabric of rural municipalities. A myriad of incompatible land uses is created by such fragmentation. Currently in COLUC, between 3,000 and 4,000 ac. (1,200 and 1,600 ha.) of rural land is severed into lots annually.

## POLICIES AND PROGRAMS

The COLUC Task Force identified three types of agricultural areas in which viable agricultural policies and programs should be applied. These three are inner areas, new settlement areas, and long-term agricultural areas (TCR Zone 2).

### Inner Areas

These areas border the existing built-up areas. Three locations are of particular concern to agriculture. The first is North Pickering which is discussed in detail in Chapter V. Secondly, the "noislands" at the Toronto International Airport (Malton) could be used agriculturally pending possible long-term conversion to industrial uses. The third area of concern is the Parkway Belt for which agricultural policies and programs are being prepared.

The commitment to farming in the inner areas will involve public cost but the benefits would include the reduction of premature urbanization, a stable livelihood for farmers, landscape amenity, and food production closer to large markets.

### New Settlement Areas

There are four such areas north of the Parkway Belt in the second tier of urban development. North Burlington and North Oakville are west of Toronto; Audley and Columbus are east of Toronto. These are centres of the future and thus the agricultural land on which they will be built can currently be utilized for viable farming operations.

### Long Term Agricultural Areas (TCR Zone 2)

These areas contain prime agricultural lands and lie beyond the urban places designated for the COLUC mature state preferences. Such prime lands are CLI agricultural Classes 1 and 2 plus lands for individual specialized crops. The COLUC report recommends the establishment of policies and programs to preserve these areas.

### LAND USE CONFLICTS

The major conflicts associated with agricultural land uses result from urban and residential encroachment on agricultural uses. Also, agricultural operations can produce air (odour) and water pollution, erosion, and drainage problems.

In food producing areas, non agricultural land uses present numerous problems to agriculture and rural areas. Besides the permanent loss of food producing land, non compatible uses pose such problems as:

- interfering with a farmer's planning and work schedule;
- decreasing production because of land disturbances caused by soil compaction, poor seeding, lack of weed control, and trampling by machinery;
- interfering with crop irrigation, spraying, seeding, harvesting, location of future buildings, and impairment of drainage systems;
- increases in housing, recreation, and services and related population increases;

- increases in the rural tax base through urban demands for services;
- increases in land values because of speculation; and
- urban incompatibility such as noise, odour, and social differences.

There is general agreement that high value agricultural land should be preserved but a major issue which must be resolved is how an owner will be compensated for losses of development rights. Informative discussions of agricultural land use conflicts, and issues are contained in the Bureau of Municipal Research publication "Food for the Cities".

#### AGRICULTURAL LAND PRESERVATION IN THE NIAGARA PENINSULA

The Regional Municipality of Niagara was created in January 1970. Two major reasons for its creation were to provide a regional planning perspective and to preserve the unique agricultural lands. On December 20, 1973, the Regional Council of Niagara approved a comprehensive policy statement for future land use and development in the Niagara region. The first objective of the plan was "to protect the agricultural industry and its land resources". Specifically the plan stated that "good tender fruit lands and good grape lands shall be preserved for agricultural uses." One task remaining was to draft urban development boundaries to fit the principles of the new policy. On August 5, 1976, the regional council finalized these boundaries which permitted urban growth to proceed into the unique farmlands in contradiction to the 1973 policy. The area set aside for urban development was 7,000 ac. (2,800 ha.).

On February 17, 1977, the provincial government reduced the proposed area of farmland for urban development in the Regional Municipality of Niagara from 7,000 ac. (2,800 ha.) to 4,000 ac. (1,600 ha.). The decision preserves about 800 ac. (320 ha.) of farmland in Grimsby, 700 ac. (280 ha.) in Lincoln, 200 ac. (80 ha.) in Niagara-on-the-Lake, 350 ac. (140 ha.) in Pelham, and 950 ac. (380 ha.) in St. Catharines.\*

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\* Globe and Mail, February 18, 1977, p. 1.

The Minister of Housing stated that the reduction in land for urban development "will still leave more than 1,000 ac.(400 ha.) of land for infilling plus another 3,000 ac. (1,200 ha.) for new urban development.\* The Ministry of Housing is also suggesting to the Niagara Regional Council that urban growth be redirected south of the escarpment, outside the fruitlands, such as in Niagara Falls, Thorold, and Welland.

## TRENDS

Scattered urban developments have put increasing pressures on the tender fruit soils. The original area was about 38,000 ac. (15,200 ha.). By 1965, approximately 31,500 ac (12,600 ha.) were available for agricultural production. In 1977, only 23,500 ac (9,400 ha.) remain - 62 percent of the original amount.\*\* Prime grapelands are more extensive, but destruction of these lands is well advanced.

Population growth on the fruitlands has steadily increased since 1951. Only 43 percent of the post World War II (1946-51) population growth took place in communities located on unique foodlands. This percentage increased to 58 percent in the 1960-70 period and averaged 80 percent between 1970 and 1975.\*\*\* The projected population growth upon which the 1974 urban expansion boundaries were based was 155,000. Those boundaries contained enough land for a population growth of 275,000, or 120,000 more than the projections. The latest projection, prepared by Peter Barnard Associates for the Ministry of Housing, reduces the figure to 43,000. A trend towards higher population densities means a concentration of people on less land. There are 11,000 ac. (4,400 ha.) of prime agricultural land, of which 7,500 ac. (3,000 ha.) are grape

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\* Background, March 11, 1977, p.4.

\*\* Globe and Mail, August 23, 1976, p.7.

\*\*\* Ibid



and fruitlands, designated for urban development.\* Only 1,800 ac. (720 ha.) of fruitland and 1,200 ac. (480 ha.) of grapeland are excluded from the urban expansion boundaries.\*\*

The construction of water and sewer systems is aiding the destruction of unique farmlands. In 1974, the Regional Municipality of Niagara signed an agreement with the Ministry of the Environment to construct water and sewer systems worth more than \$110 million. Most of this applies to service and expansion of communities in the unique land area. Under the agreement, water and/or sewer lines will form a continuous network from Niagara-on-the-Lake to west of Grimsby, a distance of over 25 mi. (40 km.) and completely within the unique lake plain. The \$18 million sewer system is being constructed from the Grimsby, Beamsville, and Vineland area. Thus water and sewer servicing programs actively promote urban expansion.

Adequate prices for fruit and grape growers is another issue determining the amount of land in agricultural production. Federal trade and tariff policies determine the percentage of the market plus prices for tender fruits and grapes. Because of inequitable tariffs, domestic market supply figures of the Niagara fruit industry dropped from 80 percent to under 18 percent between 1955 and 1975. The average Canadian tariff protection is only 1.72 cents per pound, while tariff barriers in the USA are 20 percent ad valorem and in Europe over 16 percent ad valorem. The tariff on Australian peaches is half a penny a pound; Australian pears enter Canada duty-free. Since most of the peach market has been lost, producers are turning to other crops. As a result, grapes were in surplus in 1976. Over 11,000 tons were purchased for surplus disposal and over 2,000 tons rotted on the vines because of a lack of buyers.\*\*\* Thus there is a great uncertainty regarding farm incomes. There is a need for more income stability and an integration of provincial with federal income stabilization programs.

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\* Globe and Mail, March 28, 1977, p.7.

\*\* Food for the Cities, p. 46.

\*\*\* Food for the Cities, p. 47.

## MINISTRY OF AGRICULTURAL AND FOOD (MAF)

Planning for agriculture related to land use issues has been a major concern of the MAF since February 1974. Following is a discussion of three actions taken by the MAF which support a more comprehensive land use strategy related to agriculture, namely, the establishment of the Food Land Development Branch in 1974, the issuing of the policy statement "A Strategy for Ontario Farmlands" in 1976, and the release of the Green Paper on Food Land Guidelines in 1977. The MAF administers programs to aid farmers. Programs outlined are the Ontario Farm Management Program, the 1973 Farm Tax Reduction Program, the Capital Grant Program, the Agricultural Engineering Program, the Northern Ontario Assistance Program, and the Junior Farm Establishment Program.

### FOOD LAND DEVELOPMENT BRANCH (FLDB)

In February 1974, the MAF established the Food Land Development Committee. This ad hoc committee became the FLDB within the MAF in September 1974. The terms of reference of FLDB activities are:\*

- to assemble an inventory of information on land use as it relates to food producing land;
- to develop a program for and facilitate the interim management of agricultural land which is to be used for eventual development by government or private developers;
- to prepare and recommend to the Minister of Agriculture and Food appropriate proposals or programs which offer the efficient use of food producing land;
- to work with other ministries and react to proposals of other ministries which affect food producing land;
- to provide a service function for field staff on matters relating to local agricultural land use planning programs; and

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\* Spencer, V., Activities of the Food Land Development Committee, Toronto, November 12, 1974, 12 pp.

- to analyse land use planning legislation in other jurisdictions and assess alternatives for an Ontario program.

A discussion of each of these terms of reference follows.

### Resource Inventory and Assembly

Liaison is maintained between the MAF and such ministries as Environment, Housing, Natural Resources, and TEIGA. For issues related to agricultural lands, copies of reports or plans are submitted to FLDB by participants such as municipalities and Ontario Hydro.

In co-operation with the Ministry of Housing, a pilot project was conducted to assess the loss of prime agricultural land resulting from severances and subdivisions. Inter-ministerial discussions are continuing on the feasibility of an Ontario government study of land transactions.

### Food Land Management

The FLDB has proposed a lease program and the principles which the MAF desires regarding food land management. The Farm Lease Program for government owned land includes North Pickering, Townsend, and South Cayuga plus other lands of the Ontario Housing Corporation and the Ministry of Correctional Services.

Other ministries contacted regarding this program have been Transportation and Communications and Housing. The federal government has also been contacted. The MAF is of the opinion that the farm lease program could in future be made available to private landowners and their tenants.

### Policy

Regarding policy, the MAF goal statement is:

"To encourage the responsible development and utilization of agricultural and food resources for the economic and social well-being of all people of Ontario."

The MAF statement on food producing land is:

"To retain in food production wherever possible and practical, agricultural lands which have a high capability for this use."

To transform these statements into action, the FLDB has prepared guidelines for hydro transmission lines, highways, pipelines, and new town site selection. Such guidelines are used in discussions with other ministries and agencies. A policy recommended by the FLDB is that development should be directed to lands of low agricultural production potential. Thus proposals for serving new town sites are supported by the MAF if the MAF guidelines are followed. Such serviced town sites should help reduce the pressure on prime agricultural lands. To compliment serviced town sites on lower quality agricultural lands, facilities such as highways, railways, airports, pipelines, water lines, and hydro electric generation equipment must be appropriately located to service a new development. In other words, the majority of development should be located on lower quality agricultural lands.

#### Evaluation of Proposals of Other Ministries and Agencies

Numerous proposals of other ministries affect food producing land. There has been liaison between the MAF and the following ministries and agencies:

- Resources Development Policy Secretariat;
- Ministry of Energy;
- Ministry of the Environment;
- Ministry of Housing;
- Ministry of Industry and Tourism;
- Ministry of Natural Resources;
- Ministry of Transportation and Communications;
- Ministry of Treasury, Economics, and Intergovernmental Affairs;
- Niagara Escarpment Commission;
- Ontario Energy Board;
- Ontario Federation of Agriculture;

- Ontario Hydro Electric Power Commission; and
- Provincial Municipal Planning Liaison Committees.

The involvement in preparing or reacting to proposals of other ministries and agencies takes at least four forms.

- Inter Ministry Committees established by Cabinet;
- Inter Ministry Committees established by the Resources Development Policy Secretariat;
- Inter Ministry Committees established by the Urban and Regional Development Advisory Committee; and
- Direct involvement with a ministry, agency, or task force in the preparation of proposals or in reacting to proposals.

Some examples of the FLDB involvement are:

- preparing ministry comments on the Sarnia to Montreal Pipeline;
- preparing ministry comments on several hydro proposals - generating station locations, various power line corridors, and the Solandt Commission Report;
- full time involvement in the North Pickering Project, Central Ontario Lakeshore Urban Complex (COLUC), and Parkway Belt Task Force;
- co-ordinating activities of the ministry relative to regional planning liaison committees, official plans, amendments, and consents;
- reacting to proposals of the: Ministry of Housing (Housing Action Program), Ministry of Industry and Tourism (location of a steel plant), Ministry of Natural Resources (location and design of a new provincial park), Niagara Escarpment Commission (development control policy); and
- with the Ministry of the Environment, preparing "The Agricultural Code of Practice for Ontario" as a guide for planning land use in



rural areas. The MAF is promoting the adoption of the Code of Practice into official plans, plans of subdivision, severances, and farm expansion.

Liaison also exists between the MAF and consulting firms working for firms working for various ministries and agencies. The goal and land use statements, outlined earlier in this chapter, and the Guidelines for New Site Selection form the basis for discussion.

### Service to MAF Staff

Procedures and criteria for commenting on official plans, plans of subdivision, zoning bylaws, and consent (severance) applications have been established by the FLDB.

### LEGISLATION

Major acts by the MAF are the:

- Agricultural Rehabilitation and Development Act (Ontario),
- Agricultural Tile Drainage Installation Act,
- Crop Insurance Act,
- Drainage Act,
- Farm Loans Act,
- Fur Farms Act,
- Hunter Damage Compensation Act,
- Ministry of Agriculture and Food Act, and
- Tile Drainage Act.

A discussion of legislation may be found in "Provincial Agricultural Legislation Up To 1977 Ontario". A list of the Ontario acts which are applicable to a farmer, producer, or grower may be found in the "Farm Classification Advisory Committee Report".

### "A STRATEGY FOR ONTARIO FARMLAND"

This document was released in March 1976 and is a statement with respect to agricultural development and land use in Ontario. Two broad initiatives were identified, namely, measures to ensure that the better lands were retained for agricultural purposes, and programs to maintain the economic feasibility of using such land. Regarding the first

initiative, the province relies on municipal planning and control. Direct provincial government involvement in the second initiative would be through providing programs for agricultural development that would support and create a "free enterprise rural development."

"GREEN PAPER ON PLANNING FOR AGRICULTURE: FOOD LAND GUIDELINES"

This Green Paper was released on February 17, 1977. It is a discussion which will be commented upon by municipalities, farm organizations, and others before the guidelines become official government policy. The government visualizes the final guidelines being incorporated into all local, county, and regional official plans to give agricultural concerns high priority in planning for population growth during the twentieth century.

Steps outlined in the guidelines to divert urban development to less valuable land and to minimize its impact on agriculture include:

- designating high-priority agricultural lands in official plans to permit only farming or uses compatible with farming;
- designating land of lesser agricultural priority where a broader range of alternate uses may be permitted, but only as spelled out in the plan;
- setting policies to ensure that disruption of farming by utility and communication lines is kept to a minimum;
- adopting the provincial Agricultural Code of Practice and its minimum distance separation formula for keeping farm operations and rural residences a reasonable distance apart;
- placing new emphasis on planning for hamlets and villages to decide which ones should be encouraged to grow, and how;
- establishing buffer zones between urban and agricultural areas to avoid strip development next door to farming. The boundary between urban and rural areas is the scene of growing concern for a stable, healthy agricultural industry;

- refining boundary definitions to show definite staging that will indicate the direction and extent of future urban growth, the rate at which it will occur, and the time limits within which agriculture can occupy the area as an interim use; and
- establishing criteria for granting severances - the separation of parcels of land from farm lots. The guidelines spell out ways to discourage severances for non-farming purposes and divert rural-residential development away from prime land.

As in "A Strategy for Ontario Farmland", the green paper stresses that the implementation of the priority for agricultural land would occur through local control by municipalities. Work conducted in Huron County, the Waterloo Region, the Northumberland Task Force Area, the Regional Municipality of Durham, and other areas of Ontario indicates that municipalities possess the ability to deal with agricultural land use problems and to preserve agriculture in the long term. However, the protection of agricultural communities involves restricting and prohibiting land use. There is a fundamental conflict between long term goals to reserve farmland and short-term local government desires to permit development to expand the tax base, or the economic interests of local farmers. Some Ontario agricultural communities are experiencing an undermining of the efficiency and long-term viability of agricultural operations because of escalating land prices and the infiltration of non-farm uses into the communities. Thus the province must play an active role in ensuring that the guidelines outlined in the green paper are effective.

The Bureau of Municipal Research outlines three key elements in support of a provincial land policy for agriculture.\* These elements are:

- a requirement that all municipalities with farmland resources make permanent agricultural designations within a specified time period, not exceeding two years. These agricultural priority areas would

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\* Food for the Cities, p. 84.

have legislative protection. If municipalities fail to comply, the province should impose a blanket hold until the necessary planning policies are developed. These designations could differentiate between permanent agricultural areas and urban-rural fringe areas.

- a commitment by the province to impose tougher restrictions where there is an obvious need - on land use changes or on severances - so that the main objective of saving the remaining farmland in Southern Ontario is not undermined while the planning is being done.
- the application of a joint provincial-municipal rural planning process which would help to ensure that municipalities with farmland resources would incorporate agricultural concerns into their day-to-day decisions as well as their official plans or development strategies.

## PROGRAMS

The following programs are outlined as examples of services provided by the MAF to farmers. Such programs support the agricultural industry in order to slow down the amount of land going out of production.

### Ontario Farm Management Program

This program is designed to encourage and assist farmers to use available resources in the most efficient manner so as to have productive and profitable farms. Resources include soils, crops, livestock, buildings, capital, machinery, equipment, and labour. To help achieve this objective, the MAF issues information; consults with farmers on an individual basis; conducts educational meetings and workshops; and provides advice on land use production, technology, and marketing.

### Agricultural Code of Practice

The aim of the code is to encourage the type of agricultural development which will minimize environmental problems while maintaining a



viable agricultural industry. All farmers and municipal councils are eligible. Assistance is provided to aid farmers in planning their operation and to avoid undesirable situations such as the close proximity of odour producing farm operations and rural residences. Thus both farmers and non-farmers can live compatibly within the urban shadow. Farmers are protected from the encroachment of non-agricultural uses. The code was drafted in consultation with the Ontario Federation of Agriculture and was approved by the Ontario Municipal Board.

#### 1973 Farm Tax Reduction Program

Under this program, announced on November 1, 1973, tax rebates on farmland were increased from 25 to 50 per cent of a farmer's municipal tax bill. The gross income from a farm operation must be at least \$2,000. The rebate is available only on application with applications mailed to all registered owners of land assessed as "farm". Rebates apply to both owners and renters of farmland, thus encouraging the use of farmland. Later in this chapter, under the Ministry of Revenue, the recommendations of the Balir Commission on the assessment of farms is discussed.

#### Capital Grants for Farm Improvement

This program permits farmers to be eligible for up to 40 per cent of the cost of an approved project to a limit of \$3,000 for farm buildings and drainage; a maximum of \$1,000 for orchard tree removal. Some of this money allocated for farm drainage is used directly under the Tile Drainage Act whereby a producer can receive a loan of 75 per cent of the drainage cost at 6 per cent interest. This drainage program increases the productivity of the land and in association with municipal drainage projects makes it possible for land to be farmed which would otherwise go out of production. The capital grants program is effective until March 31, 1979.



### Agricultural Engineering Program

Projects conducted under this program relate to advice and plans for farm drainage, farm water supply, farm structures, machinery management, and energy conservation. Demands for engineering services are high for drainage and farm structures.

### Northern Ontario Assistance Program

Financial assistance for the development and improvement of farms in Northern Ontario is provided. Local farmer committees administer the program with the assistance of agricultural representatives. Funds are allocated on a district basis depending on the number of commercial farms. Categories of financial assistance include land clearing and breaking, educational grants, fencing, fertilizer, seed, and weed control.

### Junior Farmers Establishment Program

An unsubsidized guaranteed loan program for rural young people, ages 16 to 29, assists in bringing farmers into the industry. Farmers receive loans at favourable interest rates which assists in the transfer from one generation to the next.

A related program is the Ontario Young Farmer Credit Program which provides credit counselling to farmers between 18 and 35 years of age who are beginning or expanding their farming operations. Loans are guaranteed for up to ten years. Between May 1, 1975, and March 3, 1976, 143 loans were recommended totalling just over \$4 million with the average loan being \$28,230.

### MINISTRY OF ENERGY (ME<sub>N</sub>)

A very significant proportion of Canada's agricultural production is provided by Ontario's agriculture. Much of the required machinery and fertilizer is manufactured in Ontario. Ontario is deficient in energy

resources except for water power, uranium, and small reserves of oil and natural gas. Thus much of Ontario's energy has to be imported. Agricultural production is becoming increasingly difficult as energy costs escalate and some of the best food producing land goes out of production.

In 1973, a steering committee on voluntary conservation was formed. The MEN retained the Ontario Research Foundation to co-ordinate and develop an interministerial conservation program. A working group was established with representatives from the Ministries of:

- Agriculture and Food;
- Consumer and Commercial Relations;
- Education;
- Energy;
- Environment;
- Government Services;
- Industry and Tourism;
- Transportation and Communications; and
- Ontario Hydro.

Two aims of the conservation program are to reduce environmental impact and extend the life of non-renewable resources. With increasing energy needs and the possibility of constructing pipelines and transmission lines on prime agricultural lands, the conservation program has the potential of playing an important role in minimizing the effects of constructing energy transmission facilities.

#### MINISTRY OF THE ENVIRONMENT (MOE)

As previously mentioned, the MOE and MAF jointly prepared "The Agricultural Code of Practice for Ontario" as a guide for planning and land use in rural areas. The objective of the code is to encourage agricultural development which will minimize environmental problems while maintaining a viable agricultural industry. Farmers are protected from the encroachment of non-agricultural uses.

Regarding agricultural land uses, the MOE makes an input at the four levels of provincial planning outlined in Chapter III, namely, provincial, sub-provincial-functional regions such as COLUC, local, and regional planning.

The MOE administers the Pesticides Act which provides for the handling and use of pesticides. Exterminators require a permit for land, water, and structural exterminations. The pollution effects of agricultural pesticides on land and water are currently being studied under the Canada-USA Agreement on Great Lakes Water Quality.

#### MINISTRY OF HOUSING (MOH)

The MOH has established Provincial Regional Planning Liaison Committees to assure that provincial policies and plans are followed in the preparation of regional official plans. A regional and head office representative from each of the following ministries and agencies is part of these Committees:

- Agriculture and Food;
- Environment;
- Housing;
- Natural Resources;
- Transportation and Communications;
- Treasury, Economics, and Intergovernmental Affairs;
- Niagara Escarpment Commission;
- Ontario Housing Corporation; and
- Director of Planning of the Regional Municipality concerned.

The agricultural land use policies and concerns of the MAF are presented for review by committee members.

#### MINISTRY OF NATURAL RESOURCES (MNR)

Under the Strategic Land Use Plan (SLUP) of the MNR, issues related to agricultural land use include determining the basic purpose of agriculture and to what extent this end will be achieved. Also, areas

within the province which are critical or unique for agriculture must be identified. Basically, this involves lands of Classes 1, 2, and 3 for agricultural capability and possibly Class 4 in Northern Ontario. Non-agricultural benefits from Classes 1, 2, and 3 lands will likely include wildlife and recreation. All viable farm communities and special crop production areas on other lands should be maintained in agricultural uses. The MAF determines the viability of farm units. The Foodland Guidelines developed by the MAF will be utilized by the MNR in its SLUP.

Crown land ownership approximates 98 percent provincial, 233 million ac. (93 million ha.); 1 percent federal, 2 million ac. (0.8 million ha.); and less than 1 percent local government.

The amount of agricultural land in Ontario approximates 11 million ac. (4.4 million ha.) of which 400,000 to 500,000 ac. (160,000 to 200,000 ha.), 3.5 to 4.5 per cent, is publicly owned, mainly as ARDA properties. It is public land management policy that forested land not be cleared and developed for farming until the existing supply of cleared, potentially usable agricultural land is in full production. Land offered for homesteading ended in 1961 when the homestead and free grant laws were repealed.

To be eligible for public farmland, an applicant must be over 18 years old and either own a farm or have farming experience. Applicants must have sufficient capital to maintain a successful farm and be willing to take up full time farm residence. Game, fish, or Christmas tree farms do not qualify as public farmland. The majority of farmers acquiring Crown farmland are those who need additional land to expand their operations.

Applications for Crown farmland are reviewed by regional and district MNR staff and a local agricultural representative of the MAF. Recommendation of an application by this group is followed by a soil analysis to ensure the suitability for the specific type of farming planned.

Rejection of an application may be made at this stage if cultivation of the desired Crown lot would conflict with land use plans for the area or if the farmer is underutilizing his or her present acreage. Upon application approval, a purchase price is set, based upon the value of the land and the timber Crown lots may also be rented for a period ranging from two to five years.

Legislation administered by the MNR pertinent to agriculture includes the Conservation Authorities Act, the Game and Fish Act, the Public Lands Act, the Settler's Pulpwood Protection Act, and the Work Damage to Livestock Compensation Act.

#### MINISTRY OF REVENUE (MR)

The MR administers the Land Transfer Tax Act and the Land Speculation Tax Act. Both of these acts have agricultural implications and are discussed in Chapter II of this report.

The "Report of the Commission on the Reform of Property Taxation in Ontario", the Blair Report, makes recommendations regarding farmland and farm residences.

It is recommended that farmland and farm buildings be assessed at 100 per cent of market value and that the farmer pay 10 per cent of the resulting property tax with the province paying 90 per cent. Farm residences should be taxed as all other residences at 50 per cent of market value and taxes paid by the owner. The farmer, like all other residents, would qualify for the Ontario Property Tax Credit regarding the tax on his residence.

A current problem is that some owners of small parcels of land, hobby farmers, construct costly dwellings on such land and then contrive gross receipts of \$2,000 from farm production. Such receipts enable the owners to receive a rebate of 50 per cent of the property tax paid on their entire property. The Blair Commission is making recommendations which would substantially eliminate such tax abuses.



## MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (MTC)

As previously mentioned, the MTC has a Land Use Group which liaises with other ministries and agencies. Agricultural land use planning is a concern of this group as it relates to planning transportation facilities.

Under the Public Transportation and Highway Improvement Act, agricultural concerns relate to exercising the power to use land for improvement purposes, and payment for damage or compensation by the MTC. Under Section 4, the Minister of TC or any person authorized by him, may without consent of the owner, enter upon and use any land; alter any feature of the land; construct and use roads on, to, or from the land; or place upon or remove from the land any substance or structure, for any purpose under Part 1 of this act. Claims for damages or compensation from actions taken under Section 4 apply only to lands not expropriated under the Expropriation Act. Compensation is determined by the Ontario Municipal Board.

## TEIGA

TEIGA co-ordinates overall provincial planning through the Design for Development Program. Thus agricultural land use is as important sector as legislated under the Planning and Development Act, Niagara Escarpment Act, and Parkway Belt Act.

Other pieces of legislation administered by TEIGA and having agricultural land use implications are the Farm Loans Act, Farm Loans Adjustment Act, Municipal Act, and the Vacant Land Cultivation Act.

## FEDERAL-PROVINCIAL PROGRAMS

Such programs were designed to aid rural families and the family farm structure, to enhance the efficiency and greater development of rural lands, to assist in conserving and developing water supplies, and to

conserve and facilitate soil improvements. Programs discussed are ARDA, the Small Farm Development Program, and Agricultural Flood Control Agreements.

#### AGRICULTURAL REHABILITATION AND DEVELOPMENT ACT (ARDA)

The ARDA provides for federal-provincial (Regional Economic Expansion Canada - Ministry of Agriculture and Food) cost sharing and co-operation in programs concerning land use, rural employment, conservation, and related matters. Broad priorities have been set for six programs:

- research for the development of new programs and to determine the impact of existing programs;
- farm enlargement and consolidation;
- provision of retraining and rehabilitation assistance;
- expansion of the rural development field services and public information;
- development of natural resources; and
- development of alternative income and employment opportunities for rural people.

Farm enlargement and consolidation began in 1966 to help farmers enlarge their holdings into improved economic farm units by leasing or buying land from ARDA. An elderly farmer can sell his farm to ARDA but lease the house for his own use. Farmers selling land to ARDA may receive special assistance in moving, obtaining non-farm employment, retraining, or finding other agricultural employment. As of March 31, 1976, 2,781 farms totalling 409,967 ac (163,987 ha.) had been acquired by ARDA. Such farms are leased to experienced farmers for five year periods with the option to purchase at any time during the lease periods. The lease may be renewed for another five years. Regarding farms purchased for enlargement, the maximum price paid per acre is \$350. Such purchases are primarily in eastern and Northern Ontario.

In 1975, ARDA had nine community pastures totalling 25,094 ac (10,038 ha.). These pastures provided 806 farmers with extra grazing land for 4,958 head of cattle. Four pastures are on Manitoulin Island and the other five in the Counties of Bruce, Leeds, and Victoria plus the Districts of Temiscaming and Thunder Bay. Grazing fees are established by local pasture boards and must be sufficient to cover maintenance, operation, municipal taxes, and administration.

More than 190,000 (76,000 ha.) of submarginal agricultural lands have been acquired by ARDA and transferred to such public uses as forestry, recreation, wildlife production, and water conservation. Employment opportunities in rural areas have been provided through resource-based industries.

ARDA assistance to municipalities and conservation authorities has helped in the construction of over 135 small dams and reservoirs in rural communities to ensure water supplies and recreation facilities. Thousands of farm wells and ponds have been built through ARDA assistance to farmers.

#### SMALL FARM DEVELOPMENT PROGRAM

The agreement initiating this program was signed August 24, 1972 between the ministers of the Ontario Ministry of Agriculture and Food and Agriculture Canada. Funding is for seven years from the date of initiation of the agreement. The overall aim of this program is to help operators develop more profitable family farms and to assist those who want to enter non-farm operations. It consists of a land transfer plan - including a land purchase and resale program - and information, rural counselling, and farm management consultation services.

A national Small Farm Development Advisory Committee recommends policies to the Federal Minister of Agriculture. A joint federal-provincial committee co-ordinates federal and provincial services. Ontario handles counselling and farm management services; Agriculture Canada provides a central information data bank.

## AGRICULTURAL FLOOD CONTROL AGREEMENTS

These agreements offer long-term protection to agricultural lands from flooding by the Great Lakes. Programs involve the construction and reconstruction of dykes and control works.

One agreement is between the governments of Ontario and Canada (DREE) which each cost-share 45 per cent of \$2.7 million. The municipalities in the townships of Mersea, Harwich, and Pelee pay the other 10 per cent.

The second agreement is with Environment Canada and Agriculture Canada in the Counties of Essex and Kent and the Regional Municipality of Niagara. Funding is \$16.25 million dollars shared 45, 45, and 10 per cent respectively by Ontario, Canada, and the municipalities.

A third agreement for \$13.1 million has been approved by the provincial government which is negotiating with the federal government for approval of its participation. Cost sharing would be 45, 45 and 10.

## VII

### *FORESTRY*

Forests comprise the greatest proportion of land in Ontario, namely 91 per cent or 199 million ac. (8 million ha.).\* Productive forest land, capable of producing commercial crops, totals 105 million ac. (4.2 million ha.) of which 90 per cent is Crown owned. The present total annual timber cut is 6.5 million cunits (1 cunit equals 100 cu. ft.) of which 4.35 million are from Crown land. The potential allowable cut is approximately 15 million cunits with about 12 million from Crown lands.

Forest lands offer many employment opportunities, especially in Northern Ontario. Combined with mining and tourism, forestry represents the largest component of the economic base in the north. For the entire province direct employment, bush and mill, in the wood industry constitutes about 80,000 jobs or 28 per cent of the total for Canada.

Following is a description of Ministry of Natural Resources (MNR) forestry programs. Forestry in the Northwest, Northeast, and South regions of the province are discussed as is land use planning and timber harvesting. Timber disposal via licence and volume agreements is outlined. The functions of the three branches comprising the Forestry Division of the MNR are outlined. A brief discussion of forestry in COLUC is provided. Finally, ARDA projects of the Ministry of Agriculture and Food related to forestry are described.

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\* MNR, Forest Production Policy Options for Ontario, April 1972, p. 13.



## MINISTRY OF NATURAL RESOURCES (MNR)

The MNR manages forests on Crown land to maximize benefits to Ontario residents in terms of providing revenue and jobs and of maintaining settings conducive for both recreation and wildlife. Tree cutting on Crown land is made available to owners and operators of sawmills, pulp and paper mills, and to persons who supply timber to such mills. Licences are issued upon approval of forest management plans that are supervised by a professional forester. The MNR annually approves areas to be cut.

The administration of forestry by the MNR is part of the Ministry's Strategic Land Use Plan (SLUP). The broad forestry objective is:

"To provide for an optimum continuous contribution to the economy by the forest industries consistent with sound environmental practices; and to provide for other uses of the forest."

The importance of forestry to the provincial economy can best be discussed on a regional basis, namely, Northwest, Northeast, and South. See Map 2. The heavily forested north is the logging centre whereas the South specializes in manufacturing activities using raw and semi-manufactured materials from the north. In terms of employment and value of goods shipped, the Northwest relies heavily on forest-based activity. Logging, sawmilling, and pulp and paper production are the major activities. A reliance on the forest-based industry in the Northeast is moderated by mining and mineral processing in the region. However, aside from the forest-based and mineral-based industries, the Northwest has few major goods-producing economic activities. The South has little reliance on forestry for employment and goods shipped.

### LAND USE PLANNING AND TIMBER HARVESTING

Timber harvesting conflicts and issues involve environmental and ecological aspects, multiple use, provincial parks management, and the

development of new mills and housing for workers. Some conflicts exist between timber harvesting and the preservation of wilderness areas. This conflict is acute in some large parks such as Lake Superior and Algonquin. Large clear-cut areas may be detrimental to wildlife.

Governmental policies dealing with these conflicts include:

- Logging has been curtailed in areas where such practices are in direct conflict with recreation. Commercial logging is practiced in only two provincial parks, Algonquin and Lake Superior.
- Within the SLUP of the MNR, targets are being established for wilderness and timber harvesting so as to minimize or eliminate conflicts. Also, forest reserves have been established along roads and waterways; cutover areas are promptly regenerated.
- Environmental assessment procedures are applied to proposed major logging operations.

#### TIMBER DISPOSAL

Crown timber is disposed by licence and volume agreements. Under a licence, the title to the timber land is retained by the Crown, in contrast with licencing mining land, and the operator is granted only timber-cutting rights. Licences, as specified under the Crown Timber Act, are of four types - Order-in-Council Licence, Sale Licence, Small Licence, and Salvage Licence.

Order-in-Council licences cover more than 99 per cent of the licenced area. Such licences apply to large areas that are capable of supplying a sawmill or pulpmill on a sustained yield basis. Tenure is for up to 21 years and can be renewed. Such licences are normally issued through negotiation to integrated logging and processing enterprises.

Sale licences apply to small areas which are to be cut over a two to three year period. Independent logging contractors are usually sold these licences by invited tenders.

Small licences, known as District Cutting Licences, apply to volumes of timber with stumpage charges under \$2,000. Salvage licences are issued when Crown timber has been damaged or killed by fire, wind, insect, or disease.

Volume agreements provide timber from unlicensed Crown management units. They specify the type and amount of timber for varying periods up to a 21 year maximum. Thus a supply of timber is reserved under Section 4 of the Crown Timber Act but the right to cut is not granted. Cutting is authorized under the issuance of an Order-in-Council licence. Since 1970, volume agreements have contributed an increasing proportion of the total Crown timber harvest.

#### FORESTRY DIVISION, MNR

This division is composed of three Branches - Forest Management, Forest Research, and Timber Sales.

#### Forest Management Branch

The objective of this branch is to produce optimum and continuous industrial, social, and environmental benefits from public forests and to encourage and assist similar production on private forest lands. The attainment of this objective is accomplished through:

- the regeneration of forests, namely, Crown land and Agreement Forests. Under Section 2 of the Forestry Act, the Minister of NR can also enter into agreements with owners of land suitable for forestry purposes.
- the tending of forests established on Crown lands, Agreement Forests, and private land so as to improve the rate of growth and quality of the timber. As of March 31, 1976, there were 119 Crown land forests with an area of 189,454 sq. mi. or 121 million ac. (492,580 sq. km.) and 60 Agreement Forests with an area of 400 sq. mi. or 256,000 ac. (1,040 sq. km.)

- agreements with administrations such as conservation authorities, counties, and townships for the management of lands acquired by these bodies for forestry purposes; and with companies for the regeneration of Crown lands. Agreement Forests are also established with regional municipalities and the federal government.
- agreements with private landowners for tree planting and woodland improvement under the Woodlands Improvement Act. Under this 1966 act, MNR staff plant trees and carry out stand improvements at no cost to the owner. To landowners who manage their forests for the production of wood and wood products as well as providing wildlife habitat, water conservation, and prevention of erosion, there is a grant equivalent to 50 per cent of the municipal and school taxes which have been levied on the forest property.

Forest management involving a comprehensive inventory and sound management planning system did not begin until after World War II. The regeneration program grew from a few thousand acres in 1960 to over 170,000 ac. (68,000 ha.) in 1975.\* A current goal of the Ontario government is to ensure an adequate forest base by 2020. More intensive management techniques related to forest operations currently being explored include genetically improved growing stock, intensive poplar cultivation in co-operation with industry, encouraging markets for underused species, and researching uses of wood in energy production. In 1975, the Minister of NR commissioned Professor K.A. Armson to make an in-depth study of Ontario's forest management practices. Professor Armson presented his report, "Forest Management in Ontario", in August 1976. Comments regarding this report are being analyzed by the MNR.

Environmental protection of forests has been given increasing attention by the MNR in recent years. Guidelines for forest management are being prepared by the MNR with the aim of reducing environmental problems to a low level. Clearcutting has been a controversial environmental and forest management issue for several years. Many clearcuts are too large when one considers the intensive use of machines in the forest, the

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\* "The Forest Scene, "Forest Management in Ontario - The Way It is Today".



greater need for wood, and the urgency of finding cheaper logging methods. A proposed policy to control the size of clearcuts in Northern Ontario is receiving comments from industries, universities, and research organizations. Such a policy is an important part of the environmental guidelines.

Private land forestry has received increasing attention during the 1970s. Government assistance to private forests now includes:\*

- the provincial Woodlands Improvement Act program, costing about \$1.6 million annually and incorporating some 4,600 agreements covering roughly 200,000 ac. (80,000 ha.)
- a subsidized nursery stock program providing 18 million seedlings at a cost of \$1 million a year;
- the managed forest tax reduction program from which 4,500 tree farmers receive a combined tax rebate of \$200,000 a year; and
- federal income tax deductions of up to \$5,000 a year of legitimate tree farm expenses.

Non monetary benefits of tree farming include aesthetic, recreational, wildlife, and erosion and flood control.

Land assessment is a factor currently generating much interest in private forest lands. As Ontario moves to market value assessments and reclassifies some tree lands from farm to residential, there is much concern regarding taxes. Tree farming could become an attractive tax shelter, with tree production as a byproduct, if the government adopts the Blair Commission recommendation that managed forests be assessed at 100 per cent of market value. However, the forest land owner would pay 10 per cent of the resulting property tax while the remaining 90 per cent is paid by the province. Adoption of this recommendation would support the Managed Forest Tax Reduction Program. Thus private land forestry is a growing business with concerns for future wood supplies, the energy crisis, and the return to the land movement.

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\* The Forest Scene, "Tree Farmers Must do More for Aid Benefit", March 1977.



### Forest Research Branch

Scientific and technical knowledge is provided by this branch for the management of Ontario's forest resources.

### Timber Sales Branch

This branch co-ordinates the preparation and maintenance of management plans, forest inventory data, and the sale and disposition of timber. Aerial photographs are used to produce forest stand maps. Forest access roads are built for timber extraction, forest improvement and protection, hunting, fishing, and other forest uses.

### OTHER FORESTRY LEGISLATION ADMINISTERED BY THE MNR

Under the Trees Act, and with the approval of the Minister of NR, counties or municipalities in territorial districts may pass bylaws with respect to private lands to restrict and regulate the destruction of trees by cutting, burning, or other means. Through bylaws, municipalities may acquire land for forestry purposes and enter into agreements for the management of such lands.

The Crown Timber Act provides for the granting of licences to cut Crown land timber. Crown Management Units may be established to supply Crown timber. Other subjects covered under this Act include forest management plans and practices; licencing of mills; penalties for wasteful practices, unauthorized cutting, and other violations; and protection of the Crown's interest through seizure and statutory lien for Crown charges.

The Conservation Authorities Act provides for the establishment of conservation areas in which forestry land use planning plays an important role.

The Forest Fires Protection Act and the Forest Tree Pest Control Act are administered by the MNR.

## FORESTRY IN COLUC

The present forested area in COLUC is just under 300,000 ac. (120,000 ha.). The growth rate in this area is better than most of the province because of climatic factors. A variety of commercially and aesthetically important tree species grow only in this region of Ontario. Wood from the COLUC area is important to the wood-using industries, in providing employment, and in making wood commodities available at affordable prices.

Forest or tree cover enhances both city and countryside aesthetics, provides settings for a variety of recreation activities, enhances fish and wildlife habitats, provides farm shelters, and protects environmentally fragile areas.

Forest management in COLUC could be practiced on lands of low capability for agriculture or because of isolation from farm units. Such lands include a broad belt west of the Niagara Escarpment, much of the Oak Ridges Moraine, valleys to the northeast of COLUC, farm woodlots and shelterbelts, and the many stream valleys in the area.

## MINISTRY OF AGRICULTURE AND FOOD (MAF)

Two ARDA programs are the forestry employment program and the rural landowner woodlot program. Both programs are administered by the MNR.

The objectives of the forestry employment program are to provide employment for rural people and to develop and rehabilitate Crown forest stands so as to increase the long-term forest production plus wildlife and recreation potential. Areas involved are southeastern, central, and northern Ontario. Involved is a \$1.3 million ARDA grant which is cost shared equally between the federal (Department of Regional Economic Expansion) and provincial (MAF) governments.

The objectives of the rural landowner woodlot program are to assist rural landowners in establishing or expanding their woodlots for future timber and wood fiber supply, and to improve the scenic qualities in rural Ontario as an aid to the tourist industry. The improvement and replanting of private lands under this program will help ensure a supply of timber and wood fiber for future needs. The economic position of rural people will be directly improved since they plant, manage, harvest, and process the forest products. This is a continuing program with a total cost of \$1 million, shared equally up to \$70 per ac. (\$28 per ha.) between both senior governments under terms of the Federal-Provincial Rural Development Agreement.

## VIII

### *RECREATION*

The pressures on the land resource for recreation are currently great and will likely be augmented in the future because of increases in population, leisure time per capita, awareness of the outdoors, and the need for relief from the urban environment. Thus the need to secure land for recreational purposes will increase in the future to meet the needs of Ontario's population.

#### RECREATION AND COLUC

It has been estimated that approximately seven-eighths of outdoor recreation activity involves a one day trip, usually within 30 mi. (48 km.) from home. The majority of the pressure generated by COLUC will be within the COLUC area or immediately outside it. The availability of day use outdoor recreation opportunities is presently much lower in COLUC than the other regions of Ontario. It will be difficult to rectify this situation through the acquisition of land for near-urban day use. Estimates of day use needs for COLUC by 1986 approximate 135,000 ac. (54,000 ha.) or about 6.5 per cent of the COLUC land area. Higher recreational acreages will be needed as COLUC approaches its planned mature state in the year 2001. Increasing population pressures and rising land prices will make land acquisition increasingly difficult.

Many agencies are involved in providing recreation facilities. Provincial parks provide about 24 per cent of the day use capacity, municipalities and conservation authorities 42 per cent, and private enterprise 34 per cent.

Following is an outline of the policies, programs, and relevant legislation administered by the Ministries of Natural Resources, Culture and Recreation, Environment, TEIGA, Industry and Tourism, and Transportation and Communications as related to recreation.

#### MINISTRY OF NATURAL RESOURCES (MNR)

As with other land use sectors, recreational land use planning is part of the Strategic Land Use Plan (SLUP) of the MNR. Recreation policies are discussed under the headings of parks, trails, and cottaging. Fish and wildlife are discussed in the next chapter.

#### PARKS

There are 121 established provincial parks under the Provincial Parks Act with a total area of 10,527,204 ac. (4,210,882 ha.). Table 8 provides the number of parks and area in each park class for the three MNR planning regions. There are five classes of parks. Classification, begun in 1967, is used by the MNR to help met the differing needs of visitors and to protect special natural areas.

Algonquin Park was the first established provincial park, it was created in 1893. Rondeau followed in 1894. Over the next 50 years, only six additional provincial parks were created, namely, Quetico in 1909, Long Point, 1921; Prequ'ile, 1924; Ipperwash, 1938; and Sibley and Lake Superior, both in 1944. Because of the growth in leisure time activities, outdoor recreation gained in popularity and 81 additional provincial parks plus 55 reserves were added between 1954 and 1964.

In 1973, there were slightly over 12.0 million park visits. This has grown from 8.5 million in 1963. Forecasts for the future use of parks estimate an annual increase of between 7 and 8 per cent for campers and about 6 per cent for day visits.



TABLE 8

## ONTARIO PROVINCIAL PARKS

| Park Class          | Northwestern Ontario |           |         | Northeastern Ontario |           |           | Southern Ontario |           |         |
|---------------------|----------------------|-----------|---------|----------------------|-----------|-----------|------------------|-----------|---------|
|                     | No.                  | Ac.       | Ha.     | No.                  | Ac.       | Ha.       | No.              | Ac.       | Ha.     |
| Recreation          | 14                   | 23,480    | 9,392   | 14                   | 65,049    | 26,020    | 14               | 17,667    | 7,067   |
| Natural Environment | 5                    | 68,141    | 27,256  | 13                   | 646,837   | 258,735   | 17               | 1,915,983 | 766,393 |
| Primitive           | 1                    | 1,150,404 | 460,162 | 2                    | 6,036,369 | 2,414,548 | 0                | -         | -       |
| Wild River          | 1                    | 415,400   | 166,160 | 4                    | 125,798   | 50,319    | 0                | -         | -       |
| Nature Reserve      | 3                    | 55,284    | 22,114  | 1                    | 108       | 43        | 4                | 684       | 274     |
| Total               | 24                   | 1,712,709 | 685,084 | 34                   | 6,874,161 | 2,749,665 | 63               | 1,934,334 | 773,734 |

Source: MNR

The MNR objective for parks is "To plan, develop, manage, and interpret a system of provincial parks and general outdoor recreation areas and facilities; and to encourage the provision of outdoor recreation facilities and services by other agencies and the private sector." Following is a brief description of major parks policies that apply or relate to land use planning. The Parks Division is composed of two Branches: Park Planning and Park Management.

### Recreation Parks

The program objective for these parks is "To provide an adequate and equitable distribution of year round, day use recreation and camping opportunities for Ontario residents". Standards are being developed for recreation parks in Ontario by the MNR. Sites selected will be within two hours drive of population centres and be capable of high intensity recreational use..

### Natural Environment Parks

The objective is "To provide for a wide variety of non-intensive recreation experiences within an environment of educational, recreational, and scientific significance".

These parks have the greatest diversity of recreational opportunities in the park system. The minimum of contact and conflict with fellow recreationists is stressed.

Each of these parks has at least one provincially significant recreational, historical, or environmental feature. Such features are assessed in terms of the Ontario Land Inventory data and criteria related to non-intensive recreational experiences. An aim is to locate natural environment parks within a three hour's drive of population centres.

## Wilderness Parks - Primitive and Wild River

The objectives of wilderness parks are:

- "to provide opportunities for wilderness experiences. Wilderness experiences refer to the benefits of expansive solitude, challenge, space, time, and unity with nature derived from unmanipulated landscapes;
- to provide opportunities for scientific and educational studies that will contribute to the bodies of knowledge especially associated with natural and cultural history;
- to preserve for scientific research environmental benchmarks, selected from representative landscapes of the province, from which changes may be monitored and compared with the ecological systems and landscapes which are used and altered to satisfy the needs for civilization; and
- to provide opportunities to communicate the meaning and purpose of the values of wilderness to Ontario society and culture."

To date, wilderness users have been canoeists and hikers. Future wilderness users may desire more of the primitive park experience where there is a minimum of social contact and resource extraction plus a freedom from activities.

Heritage environments are those free from resource extractions, modern technology, and crowding. Thus the natural heritage of the landscape would be preserved.

Scientific research of natural and man-made environmental changes is important for the measurement or definition of such factors as pollution, natural diseases, and productivity.

## Natural Reserve

Natural or ecological significance for nature reserves involves three levels of government: local, regional, and provincial.

Provincial objectives include:

- "large areas representative of the site regions of Ontario to provide benchmarks in our understanding of the natural systems of Ontario;
- reserves of genetic material for intrinsic and future human use ('gene pools');
- preservation and study of provincial rare, unique or otherwise special earth features as part of our heritage and to further understanding of the geomorphology and paleo-environments of Ontario."

In 1973 there were 135 nature reserve areas with an area of 1,258,099 ac. (503,240 ha.). Nature reserves may have provincial park status, thus there are eight Nature Reserve Provincial Parks. See Table 8.

#### Other Park Agencies

The St. Lawrence Parks Commission of the MNR develops and operates historic sites and parks as defined under the St. Lawrence Parks Commission Act. Provincial park permits are valid for entry into these parks.

The Niagara Parks Commission develops and operates parks, recreation areas, and historic sites as defined under the Niagara Parks Act.

The St. Clair Parkway Commission maintains a scenic drive and recreational facilities as defined in the St. Clair Parkway Commission Act.

#### CONSERVATION AUTHORITIES

There are 38 Conservation Authorities in Ontario, 33 in Southern Ontario and five in Northern Ontario, that own and manage over 200 conservation areas which are acquired and developed with funds provided by participating municipalities and the province. These areas include floodplain

lands and subsequent greenbelts; swamps and wetland preserves for wildlife management and source area protection; and sites of outstanding or unique biological, geological, scenic, or historical character. An authority is an autonomous, corporate organization established under the Conservation Authorities Act. Its program is carried out over a watershed or group of adjacent watersheds. Conservation areas are specific tracts of land and water which have been set aside primarily for recreation and range in size from less than one ac. to over 7,000 ac. (2,800 ha.). Conservation areas are also devoted to such land uses as forestry and wildlife management.

A conservation authority is established when two or more municipalities in a watershed request the minister of NR to call a meeting to discuss the formation of an authority. All municipalities (townships, villages, towns, and cities) which lie entirely or partly within the area under consideration can send a representative to the meeting. A vote of two-thirds of the representatives permits the minister of NR to request an Order-in-Council to establish and define the boundaries of an authority.

Under the Conservation Authorities Act, levies can be made on municipalities for the construction of conservation works. Such levies are usually based on municipal assessment or on its population. The province usually funds 50 per cent or more of these projects and the federal government may partially finance large flood control projects. Concerning taxes, an authority pays municipal taxes on all the land that it owns. A recommendation of the Blair Commission on taxation is that all real property owned by a conservation authority be assessed at and taxed on 100 per cent of market value except where such property is residential, farmland, or managed forest. A ramification of this recommendation could be that more conservation authority funds will have to be spent on paying taxes rather than acquiring conservation lands.

The authorities and related conservation areas provide an important recreational land resource to the residents of Ontario. This is especially important in COLUC where a short drive to these natural



settings provides urban dwellers with both recreational and educational opportunities.

A conservation authority is a corporate body and operates in relative independence. The Conservation Authorities Branch of the MNR provides technical advice and limited financial aid for such matters as tree planting; pond construction; wildlife habitat improvement; erosion control; illustrated talks; and conservation planning to any interested individual, landowner, group, or municipality. Field staffs are located in many authorities and carry out comprehensive watershed studies. Such studies and subsequent conservation reports are utilized by the authorities as program guidelines. Technical assistance is also provided to the authorities by the Ministries of Agriculture and Food and Environment.

#### TRAILS

The Ontario Trails Council was created by an Order-in-Council on September 1, 1975, for a term of two years. The Council will review and recommend to the Minister of NR an Ontario trails program regarding:

- research requirements and components of the programs;
- legislative requirements related to existing provincial legislation and other jurisdictions;
- program implementation; and
- establishment of a policy framework for a comprehensive trails system.\*

This council will also hold public meetings and make recommendations on the implementation of a trails program. A final report will be submitted to the Minister of NR in September 1977.

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\* Ontario Trails Council, Interim Report, p. 4.

Through public identification, nine issues have been identified. These major issues, for which policies will be recommended to the MNR, are:

- public use of private land;
- geographic variations;
- trail-user ethics;
- compatibility;
- trail requirements;
- trail criteria;
- delivery agents;
- delivery mechanisms; and
- right-of-way stability.

Currently, the Niagara Escarpment and associated Bruce Trail provide excellent opportunities for hiking. The province, through the Regional Development Branch of TEIGA plus the Niagara Escarpment Task Force and conservation authorities, have negotiated easement rights providing public access across private property as part of the Bruce Trail. Such easements have occurred in the Hamilton, Sauble, and North Grey Region Conservation Authorities. Thus these easements, made available voluntarily, provide critical land links between the authorities.

Both the province and conservation authorities have acquired land on the Niagara Escarpment and hold such land in public trust. Over 30,000 ac. (12,000 ha.) have been so acquired with the authorities controlling about 10,000 ac. (4,000 ha.).

#### COTTAGING

The definition of cottage used by the MNR is a permanent building occupied as a seasonal residence from which the user engages in a variety of outdoor recreation activities. Other terms synonymous with cottage are vacation or recreation home, chalet, camp, hunting or fishing camp, and cabin.

There are about 250,000 cottages in the province of which almost 90 per cent are Canadian-owned. Total recreation related to cottaging is estimated to be in excess of 50 million person days.

Most cottage lots are made available through private land developments or severances. Crown lots account for less than 10 per cent of the approximate 1,000 annual number.

#### Crown Land Cottage Lots

Most cottage lots are in areas zoned for cottages and thus are surveyed and subdivided. A subdivision has a minimum of six lots with access by road or water. Cottage lots are half an acre to one acre in size with a minimum frontage of 100 ft. (30 m.).

Lake management plans showing available cottage lots are prepared by district MNR staff and are maintained along with registered plans of subdivision. Such plans follow a policy of preserving the quality of the natural environment and satisfying public recreation needs. Policies are being developed for Southern Ontario, south of the French and Mattawa Rivers and Northern Ontario. It is proposed by the MNR that cottage lots conform to local land use plans and that all other uses be considered. The Interministry Committee on Lake Development has recommended constraints to cottage development and such constraints should be applied in preparing local land use plans.

For the first year that a Crown cottage lot is on the market after the registration of a subdivision plan, Canadian citizens or landed immigrants who are Ontario residents may lease it, provided they are at least 18 years old and do not have other lots acquired from the MNR.

In the second year after its registration, Canadian citizens and landed immigrants who are not Ontario residents are eligible to apply for a cottage lot. Non-Canadians may apply for any lot remaining after the initial two-year period has expired.

Where there is a sufficient supply of cottage lots to meet demand, they are leased on a first-come first-served basis. Where demand exceeds supply in a given area, the MNR may offer cottage lots by public draw, auction, or tender.

The annual leasing or rental fee is 10 per cent of appraised market value of the lot when the application is made. Rents are reviewed every 10 years.

According to conditions of each lease, a cottage with no less than 320 sq. ft. (29 sq. m.) of floor space and a value of at least \$2,000 must be built on the lot within 24 months of the day the application is accepted. Cottagers are responsible for the full costs of developing and maintaining their lots; they must comply with local building and health standards, and pay municipal land taxes for lots within organized municipalities. Lots outside municipalities are subject to provincial land tax.

When all conditions set out in the lease are fulfilled, it runs for 30 years with options for two renewals of 10 years each.

#### Remote Cottage Sites

Remote cottage sites exist north of the French and Mattawa Rivers. One area is the Hudson and James Bay Lowlands in the Ontario Northland Railway corridor between Cochrane and Moosonee. Individual sites are selected by MNR staff, some near shorelines and others more than a quarter of a mile from waterways. Shoreline sites start 100 ft. (30 m.) back from the highwater mark. One inland site is permitted for each nine sq. mi. (23 sq. km.). These isolated sites are suitable for cottages with backhouse and waterpail facilities, although the same land might not be able to support a registered cottage subdivision.

An applicant may choose to hold a remote cottage site on a non-renewable 10-year lease or by a land use permit which must be renewed

each year. To obtain the 10-year lease, the applicant must pay to have the property surveyed for registration purposes.

Annual rent is the same for both types of tenure, but varies between inland and waterway sites: \$50 minimum for the former and \$100 minimum for the latter.

In addition to paying this rent, within two years of acquiring the property, the applicant must build a habitable one-storey cottage containing between 200 and 400 sq. ft. (18 and 36 sq. km.) in floor space.

#### Private Land Cottage Lots

Most of the future demand for cottage lots will continue to be provided by the private sector. The MNR stresses the preparation and approval of local land use plans before any development occurs so as to minimize environmental damage and provide a desirable opportunity for public use. Where developments are proposed and land use plans are lacking, the MNR recommends the application of standard development constraints.

#### STATUTES ADMINISTERED BY THE MNR RELATED TO RECREATION

- Algonquin Park Extension Act;
- Conservation Authorities Act;
- Lakes and Rivers Improvement Act;
- Niagara Parks Act;
- North Georgian Bay Recreational Reserve Act;
- Parks Assistance Act;
- Provincial Parks Act;
- Public Lands Act;
- St. Clair Parkway Commission Act;
- St. Lawrence Parks Commission Act; and
- Wilderness Areas Act.



## MNR RECREATION COMMITTEES

### Management Committees

The Senior Management Committee is composed of the deputy minister, assistant deputy ministers, executive directors, regional directors, director of the Policy Research Branch, and director of the Conservation Authorities Branch. This Committee meets regularly and co-ordinates overall ministry policies, plans, and programs.

There are Regional Management Committees and District Management Committees.

### Program Committees

The Outdoor Recreation Program Committee meets periodically to co-ordinate the Outdoor Recreation Program of the MNR. It is comprised of the ADM (Resources and Recreation), executive directors of the Parks and Fish and Wildlife Divisions, general managers of Park Commissions, director of the Conservation Authorities Branch, director of the Land Use Co-ordination Branch, a northern regional director, a southern regional director, and representatives from other divisions as required.

The Land Management Program Committee meets periodically to co-ordinate the Land Management Program. It is comprised of the ADM (Lands and Water), executive directors of the Division of Lands and the Field Services Division, director of the Conservation Authorities Branch, director of the Land Use Co-ordination Branch, a northern regional director, and representatives from other divisions as required.

The Resources Products Program Committee meets periodically to co-ordinate the Resource Products Program. It is comprised of the ADM (Resources and Recreation), executive directors of the Divisions of Forests and Mines, director of the Commercial Fish and Fur Branch, director of the Land Use Co-ordination Branch, a northern regional director, and representatives from other divisions as required.

### Technical Committees

These committees interlock with the management committees and meet periodically to co-ordinate the development of functional programs, plans, and standards. Technical Committees related to recreation are Parks, Conservation Authorities Branch, Lands, Forests, and Fish and Wildlife.

### MINISTRY OF CULTURE AND RECREATION (MCR)

The Heritage Conservation Division of the MCR is responsible for the conservation, protection, and preservation of Ontario's historical resources and heritage. It administers the Heritage Act under which historically significant municipal buildings can be protected and archaeological research is licenced.

Regarding historical parks and reserves, the objective of these areas is to provide recreational, educational, and scientific opportunities for studying sites of provincial historical significance. This objective is accomplished by:

- "protecting and preserving provincially significant prehistorical resources;
- presenting and interpreting Ontario's human heritage in an outdoor setting, through communicating a site specific sense of time and place which clearly relates features and events to the history and geography of the surrounding region and of the province;
- providing recreational and informal learning opportunities for a wide range of individuals and interest groups; and
- providing for the advancement of our knowledge of Ontario's past, through encouraging and facilitating, where compatible with park objectives and management philosophy, direct investigation by qualified researchers as well as the appropriate level of involvement and participation by other persons interested in such research."

The Heritage Conservation Division uses an Historical Systems Plan to aid land use planning through the identification and preservation of those sites and corridors which best represent themes of provincial historical significance. Elements of Ontario's prehistory and history have been identified as themes and each theme divided into segments. There are 114 theme segments.

There are four historic parks operated by the division. These are:

- Sainte-Marie Among the Hurons, Midland;
- Museum of the Upper Lakes, Wasaga Beach;
- The Royal Navy and Military Establishments, Penetanguishene; and
- Fort William, Thunder Bay, which is a reconstruction of the North-West Company fur-trading post and fort.

#### MINISTRY OF THE ENVIRONMENT (MOE)

The concerns of the MOE, regarding recreation, centre on environmental safeguards to preserve the natural environment. The Environmental Protection Act and the Ontario Water Resources Act legislate against the misuse of recreational lands. The Environmental Assessment Act helps to protect Ontario's natural environment.

Land use and development plans for the province, a region, or the private sector include recreational uses. The MOE discusses the suitability of recreational uses from a pollution control viewpoint with respect to ground and surface waters plus air quality and noise considerations. As a planning tool, MOE limnologists often evaluate the trophic status of specific lakes to estimate the lakes' capacity for recreational use and development. An Environmental Hearing Board decides on the environmental acceptability of proposed recreation developments as related to the overall land use plan.

The MOE provides external consulting on environmental planning matters and participation on liaison committees related to recreation. These include the Niagara Escarpment Task Force; Liaison Committees for Northern, Eastern, Central, and Southwestern Ontario, the Wasaga Park Community Project; and the Simcoe-Geogian Task Force.

## TEIGA

The Design for Development provincial planning strategy is co-ordinated by TEIGA. One of the goals of this strategy is a more comprehensive recreation plan. This includes maintenance of the Georgian Bay shoreline, Lakes Simcoe, Kawartha Lakes, Niagara Escarpment, and other special recreation areas. Recreational land use within the Toronto-Centred Region demands special attention because of increasing population growth, leisure time, and transportation improvements. A major goal is to minimize environmental damage while making effective uses of resources.

The planning of trails was outlined previously in this chapter. The Bruce Trail and the Niagara Escarpment are important recreational resources in Ontario. The Niagara Escarpment Act aids in the preservation of recreational lands.

The Parkway Belt System stresses the preservation of lands for low intensity uses such as parks and the preservation of open space with a high recreation potential. Ravines, river valleys, and botanical gardens will be protected for recreational use. The belt's linear shape provides ease of access to recreation areas and aids in the provision of open space. Such open spaces can physically separate urban areas. The Parkway Development Act aids in creating recreational and open space resources in the Toronto-Centred Region.

## MINISTRY OF INDUSTRY AND TOURISM (MIT)

Tourism is one of six major Divisions within the MIT. A major priority of this Division is to encourage regional and local tourism development and promotion. There are 39 Ontario vacation regions funded by the MIT on a matching dollar basis.

In October 1973, the Ontario Travel Association Program (OTAP) was initiated to strengthen local tourism marketing, research, and development. This was in response to changing provincial, national, and

international tourism demands. Each of the 39 vacation regions is involved in OTAP. The increasing tourism demands in Ontario have land use implications. Detailed information on accommodation and recreation facilities is provided by the MIT. Publications are issued on such topics as travelling by automobile, camping, boating, accommodation guides, and events and attractions.

#### MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (MTC)

As mentioned in Chapter III, the MTC has a Land Use Group. One of this group's major projects involves providing recreation traffic data. Capacities for recreational development are being estimated for selected regions of the province. The Muskoka-Parry Sound and Lake Simcoe areas are being studied with reference to highway design standards and recreational traffic.

#### TOURISM AND OUTDOOR RECREATION PLANNING STUDY (TORPS)

The TORPS Committee was formed in November 1967 to develop a co-ordinated approach to tourism and outdoor recreation planning within the provincial government. The committee has representatives from the following ministries:

- Community and Social Services;
- Industry and Tourism;
- Natural Resources;
- Transportation and Communications, and
- TIEGA.

This committee reports to the Advisory Committee on Regional Development.

The TORPS Technical Sub-Committee was formed in November 1969. It consists of technical personnel from various ministries working on a continuing basis in the development of a systems approach to tourism and recreation research planning. The Technical Sub-Committee carries out the program of the Committee.



The objectives of TORPS are:\*

- to identify and analyse present and potential tourism and outdoor recreation issues and opportunities and to propose and evaluate alternative approaches;
- to assist in the development of planning and policy guidelines for the allocation of land for tourism and outdoor recreation activities;
- to gain an understanding of the components and interactions of the tourism and outdoor recreation system and to identify areas where further investigation is necessary in order that co-ordinated guidelines and strategies can be formulated;
- to evolve a co-ordinated interdepartmental planning capability by:
  - adopting a systems approach to tourism and outdoor recreation planning;
  - developing a mathematical planning tool to assist in the evaluation of the effects of proposed futures as they apply to tourism and outdoor recreation; and
  - establishing a common data bank of information related to tourism and outdoor recreation and by encouraging agencies to use and to contribute to its development;
- to recommend provincial policy guidelines and strategies for tourism and outdoor recreation; and
- to increase the government's capability for planning in this field through the involvement of government personnel on a continuing basis.

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\* Progress Report No. 2: Tourism and Outdoor Recreation Planning Study  
February 1972, pp. 5 and 6.

## FEDERAL-PROVINCIAL AGREEMENTS

### CANADA-ONTARIO RIDEAU-TRENT-SEVEN (CORTS) AGREEMENT

In 1967, the federal Minister of Transport and the provincial Minister of Industry and Tourism announced a joint federal-provincial study and plan for the future development of the 425 mi. (680 km.) land and water recreation corridor between Ottawa and Georgian Bay. Fifteen federal and provincial departments and agencies have representatives on the CORTS committee. Numerous municipal governments, conservation authorities, interest groups, and the general public were also involved.

As a result of this study, the CORTS Agreement was signed on February 20, 1975 by the Minister of Indian and Northern Affairs and the provincial Secretary for Resources Development. Among the objectives of this Agreement are:\*

- "The identification of lands requiring the application of special land use controls;
- the identification and acquisition of lands for the provision of recreation; and
- the identification of the causes of water pollution, the improvement of water quality, and the monitoring of water quality."

The CORTS Advisory Committee composed of ten private citizen members and the CORTS Agreement Board composed of ten civil servants were established. A CORTS Secretariat was provided for the board. The agreement is of indefinite duration and will be comprehensively reviewed commencing April 1, 1980 and further reviewed every fifth year thereafter. Financially, Canada and Ontario each pay 50 per cent of the total costs for the CORTS Advisory Committee and the CORTS Secretariat.

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\* Indian and Northern Affairs, CORTS Information, Document No. 1 0689 UC, 1975, p. 2.

## SIGNIFICANCE OF THE CORTS AGREEMENT

This agreement is the first in Canada signed under the Agreements for Recreation and Conservation (ARC) program of Parks Canada. The ARC program began in 1972 and was initially called "Byways and Special Places". Its purpose is the establishment of a nationwide system of wild or historic waterways, historic land trails, and scenic and historic parkways. The ARC program will offer a variety of linear parks. CORTS has a dual importance; it provides additional recreational potential near the densely populated COLUC region, and it established a precedent for the creation of linear parks.

The CORTS corridor comes under the jurisdiction of the federal and provincial governments plus 104 local governments, two regional governments, nine counties, six Indian band councils, and eight conservation authorities. By working closely with local governments, it is the intention of the Ontario government to include CORTS objectives in municipal plans under the Planning Act. Such integrated development and open space planning has occurred along the Niagara Escarpment.

## PROVINCIAL LAND USE ISSUES AND CONFLICTS RELATED TO RECREATION

Some land use conflicts exist between recreation, forestry, and mining to the extent that these activities are curtailed by recreation. In Southern Ontario where population and recreation needs are rapidly increasing, there are conflicts between urban and industrial, agricultural, and private recreational land uses. Private land owners in Southern Ontario limit the supply of recreational opportunities by denying public access to their lands.

Competition for certain resources exists between local residents and non-residents (both from outside the province and from other areas in Ontario), especially hunting and fishing. Land use competition also exists between private cottage development and public recreational areas, whether provincial parks or tourism resorts.

Ontario government policies dealing with these conflicts and issues include more comprehensive planning for all land uses, for example, the SLUP of the MNR, Design for Development of TEIGA, land acquisition of valuable recreational lands, and extension programs to encourage private land owners to allow public use of their lands. Sales of Crown land have been greatly reduced and replaced by long term leases. Areas mined for aggregates are being rehabilitated. Also, an interministerial lakeshore capacity study is being conducted to produce a predictive model to suggest the capacity of recreational lakes for development. Ministries represented are Environment, Housing, Natural Resources, and TEIGA.

*FISH AND WILDLIFE*

The Ministry of Natural Resources (MNR) is responsible for the policies, programs, and legislation related to fisheries and wildlife in Ontario. The Fish and Wildlife Division of the MNR is composed of three branches: Fish and Wildlife Research Branch, Fisheries Branch, and Wildlife Branch. The policies and programs of this division are outlined. Following this, MNR recreation and tourism policies related to wildlife are outlined. Finally wildlife areas of special concern to the MNR and administered statutes are listed.

FISHERIES POLICIES AND PROGRAMS

The Fisheries Branch plans and co-ordinates the development and use of Ontario fishing resources. This branch makes inputs to the planning process (SLUP) of the MNR and to the plans of other agencies, such as municipal plans. This branch also sets provincial priorities for any land acquisitions proposed for fisheries purposes. Other land use related functions include: supplying inventory summaries of surface water resources for all ministry planning and calculations of potential fish production; conducting lake and stream inventories; assessing impact of developments (e.g. dams, diversions, thermal power plants, dredging, highway construction) on fisheries resources; mapping fisheries resources; and developing techniques for and promoting fisheries habitat enhancement.

Fisheries areas of special concern are:

- nursery areas for fish,
- fish spawning grounds,
- stream portions of fish migration routes,



- lake trout lakes,
- high density fishing areas, and
- fishing access areas particularly near or in urban centres.

#### WILDLIFE POLICIES AND PROGRAMS

The objective of the Wildlife Branch is to maintain wildlife for the recreational and economic benefits of Ontario citizens. The maintenance and improvement of wildlife habitat is a major program in attaining this goal, as is the control of use of wildlife resources. The Wildlife Branch is also responsible for provincial wildlife management areas, Wildlife Extension Landowner Agreement Areas, the Wildlife Interpretive Program, and protection of endangered species or flora and fauna.

The spectrum of wildlife is divided for management purposes into big game, upland game, waterfowl, and non-game species. Big game includes moose, deer, bear, and woodland caribou, which are managed either to provide a variety of outdoor recreation experiences, or for their own intrinsic values. Timber wolves and coyotes are managed primarily to prevent damage to livestock.

Upland game management objectives include encouraging the production of small game, controlling harvest, and increasing accuracy of predicting annual availability of various species. Game birds include ruffed, spruce, and sharp-tailed grouse; ring-necked pheasants; Hungarian partridge; bob-white; and woodcock. Upland mammals include rabbit, hare, raccoon, groundhog, fox, and squirrel.

Waterfowl management is practiced internationally to provide the public with hunting and viewing opportunities.

Non-game wildlife includes species not mentioned above. Management programs are directed toward protection and rehabilitation of rare, threatened, or endangered species; interpretation of features of

non-game species; and providing necessary services for management of urban wildlife.

Twenty species of furbearing animals are intensively managed on the basis of control of harvest by unit area. There are 12,500 trappers active on 2,650 registered traplines and various tracts of other lands throughout the province.

Gross annual income of trappers is approximately \$8 million, not including the replacement value of meat of furbearers they consume, estimated to be \$3.25 million.

There are 26 provincial wildlife areas in Southern Ontario which are utilized to foster wildlife-oriented recreational opportunities. These areas are open year-round for activities such as hiking, dog training, archery, trap shooting, and berry picking. Hunting is permitted during open seasons.

There are 15 Wildlife Extension Landowner Agreement Areas which are managed for wildlife under agreements between landowners and the MNR. These Areas are in Southern Ontario where there is high demand for day use hunting and wildlife viewing. Landowners receive assistance in wildlife management and in return permit public access to their property. These Areas comprise over 6,000 ac. (2,400 ha.) and are important in COLUC for breeding, hunting, and viewing wildlife. They include parts of wetlands, river valleys, farmlands, the Oak Ridge Moraine, and the Niagara Escarpment.

#### CONSERVATION AUTHORITIES BRANCH

Individual authorities acquire private lands within their jurisdictions for the maintenance of wildlife resources and the recreational viewing use of such resources. Lands are purchased and leased under the Conservation Authorities Act or acquired through resources under the

Expropriations Act. There are 38 conservation authorities - 33 in Southern Ontario and five in Northern Ontario.

## MNR RECREATION AND TOURISM POLICIES ASSOCIATED WITH WILDLIFE

### RECREATION POLICY FOR ONTARIO RESIDENTS

Wildlife viewing and hunting comprise this policy. Opportunities to view or photograph wildlife will likely increase significantly through interpretive programs, especially in Southern Ontario. Presently, about one million (13 per cent) of Ontario's population participate in the viewing or photographing of wildlife.

For the entire province, the current number of user days spent in hunting will be maintained. About 450,000 hunters spend 5.1 million days hunting each year. No entrance fees are charged for hunting or fishing on Crown lands. Not all public lands may be used for these activities, for example, fish sanctuaries and wildlife preserves. Hunting is not permitted in provincial parks and most conservation authorities. Timber licence holders may obtain permission from the MNR to have their lands posted, denying access to hunters or anglers if fire risks are high. Land use permits allow holders to erect camps or cabins on sites with an area approximating half an acre. However, such permits do not bestow exclusive hunting or fishing rights for the surrounding area.

### TOURISM POLICY FOR NON-RESIDENTS

A slight increase in tourism benefits, dollars earned, associated with hunting is expected for the province as a whole. Ontario is divided in four areas by the MNR to implement this tourism policy. The four areas are south of the Shield, from the Shield to the French River, the French River to the Far North Line (51st parallel in the Northwest Planning

Region), and the Far North. Concerning jobs, once demands or needs are determined, policies such as the mandatory use of guides and outfitters may be established.

The policy assumptions of both the recreation and tourism policies outlined above are based on the following assumptions:

- Wildlife recreational opportunities will become difficult to provide in the densely populated areas of Southern Ontario because of increasing urbanization and changing land ownership.
- In Southern Ontario, wildlife recreation will be maintained through the extension program plus acquisition and management programs. Presently, over 100,000 ac. (40,000 ha.) in Southern Ontario are managed directly for wildlife based recreation.

In Northern Ontario, non-resident hunting of accessible moose populations will be restricted until management programs increase hunting potential.

#### WILDLIFE AREAS OF SPECIAL CONCERN TO THE MNR

Areas which require land use planning in order to safeguard their wildlife are:

- the marshes of Lake St. Clair,
- the marshes of Long Point,
- the Hudson Bay and James Bay shorelands,
- all wetlands south of the shield, particularly high capability wetlands (Classes 1, 2, 3),
- the Niagara Escarpment,
- Point Pelee and associated islands,
- potential urban wildlife viewing areas such as the ravines of metropolitan Toronto, and
- the habitats of endangered or rare species such as white pelican, double-crested cormorant, and woodland caribou.

STATUTES ADMINISTERED BY THE MNR RELATED TO FISH AND WILDLIFE

- The Conservation Authorities Act,
- The Endangered Species Act,
- The Game and Fish Act,
- The Fisheries Loan Act,
- The Migratory Birds Convention Act,
- The Fisheries Act - Canada,
- Ontario Fishery Regulations, and
- The Lakes and Rivers Improvement Act.

STATUTES ADMINISTERED BY THE MINISTRY OF AGRICULTURE AND FOOD

The Dog Licencing and Livestock and Poultry Protection Act provides compensation for the killing of livestock by predators such as wolves.



*ENERGY RESOURCES, MINING, AND QUARRYING*

Two ministries, Energy (MEn) and Natural Resources (MNR), administer these lands uses. Under the Environmental Assessment Act, the Ministry of the Environment (MOE) reviews energy, mining, and quarrying projects to ensure that such projects have acceptable environmental effects. Environment and energy are discussed in Chapter IV.

Following is a discussion of the policies, programs, and legislation of the MEn as related to energy. Energy sources discussed are petroleum, natural gas, coal, hydro-electricity, and uranium. Under hydro-electricity, the Royal Commission on Electric Power Planning is discussed.

The policies, programs, and legislation of the MNR are outlined with respect to mining and quarrying. Topics discussed are mineral aggregates, the Ontario Mineral Aggregate Working Party, mineral production in COLUC, and extractive land use conflicts and issues.

MINISTRY OF ENERGY (MEn)

The MEn was created on June 7, 1973 under the Energy Act. The responsibilities of the Minister and Deputy Minister are as follows:\*

- to review energy matters on a continuing basis with regard to both short-term and long-term goals in relation to the energy needs of Ontario.

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\* MEn, Ministry Submission to Royal Commission on Electric Power Planning Part Two, p. 17.

- to advise and assist the government of Ontario in its dealings with other governments regarding energy matters;
- to make recommendations for the effective co-ordination of all energy matters within the government of Ontario with a view to ensuring the consistent application of policy in every area of concern regarding energy and, with respect to the adequacy of supplies, prices, franchises, and the development of energy resources indigenous to Ontario; and
- to make recommendations regarding priorities for the development of research in all aspects of energy of significance to Ontario, including the conservation of energy and the improvement of efficiency in its production and utilization and the development of new energy sources.

Although concentrating on policy matters, the MEn also provides technical support to the Ontario Energy Board and liaises between the government and the Ontario Hydro Corporation.

Four groups comprise the MEn, namely, Policy Development, Information and Analysis, Energy Technology, and Legal and Regulatory Affairs. The functions of these groups are as follows.

#### POLICY DEVELOPMENT GROUP

This group works with the other groups in the MEn and with outside resources in the development of provincial energy policy and in the short-term response to issues of the day. This group has special responsibility for:

- monitoring of the crude oil, natural gas, thermal and metallurgical coal, uranium, petro-chemicals and petroleum products, and electricity sectors;
- ongoing review of the programs and activities of the MEn to identify and make preliminary evaluation of new issues which may require further attention; and
- Hydro affairs.

## INFORMATION AND ANALYSIS GROUP

This staff support group has special responsibility for:

- maintenance of data base and information for MEn use;
- arrangement of access to data and information from outside sources as required;
- provision of economic, financial, statistical management, and systems analysis capability in support of MEn programs;
- development and evaluation of alternative energy scenarios;
- development and adaptation of models including energy balance and forecast models suitable to Ontario requirements; and
- application of information systems to the operation of the MEn.

## ENERGY TECHNOLOGY GROUP

Functions include:

- reviewing the state-of-the-art in the energy technology sector;
- co-ordinating the government's Energy Management (Conservation) Program; and
- evaluating energy research and development and the recommendation of provincial programs.

## Energy Management (Conservation) Program

A steering committee on voluntary energy conservation was formed in November 1973 at the suggestion of the Premier. Representatives from the following ministries are on the steering committee:

- Agriculture and Food,
- Consumer and Commercial Relations,
- Education,
- Energy,
- Environment,
- Government Services,

- Industry and Tourism, and
- Transportation and Commission

Ontario Hydro is also on the committee.

The aims of the conservation program are to:

- alleviate supply problems,
- reduce the need for capital investment,
- reduce environmental impact,
- extend the life on non-renewable resources,
- save money for those practicing conservation, and
- reduce the impacts of higher energy prices.

Current projects related to these aims centre on reducing fuel consumption in automobiles, establishing residential insulation standards, and exploring the potential of minimum-energy communities.

#### LEGAL AND REGULATORY AFFAIRS GROUP

In addition to its general responsibilities as part of the MEn office, this group has special responsibilities for the:

- provision of legal advice, counsel, and solocitors' services to the MEn;
- provision of legal support for the Ontario Energy Board;
- provision of counsel to represent the province at hearings before federal and provincial energy tribunals;
- interpretation of legal and constitutional implications of energy policies and programs; and
- co-operation with the energy sector in the public interest regarding matters relating to the implementation of regulatory procedures, energy policy objectives, public participation, and funding.

#### ONTARIO ENERGY CORPORATION (OEC)

The OEC was established by the OEC Act, effective February 28, 1975, with the object of participating in energy-related projects to further

the adequacy and security of supplies of energy for Ontario. The Corporation will eventually fulfill this function as a financially self-supporting and commercially viable enterprise.

A \$100 million investment based on a 5 per cent equity in Syncrude is the first OEC venture. Support of the Syncrude project aids in the development of the Alberta oil sands to provide Ontario with petroleum energy resources.

#### THE ONTARIO ENERGY BOARD (OEB)

The OEB is a regulatory and advisory body reporting to the Minister of Energy. It performs a regulatory role with respect to natural gas utilities and affords an opportunity both for public input at hearings and for independent review by OEB members and staff.

The OEB also provides a forum for public review and debate and for development of informed advice to the Minister, independent from Ontario Hydro and the Ministry Office, with respect to Ontario Hydro's bulk power rates. In the Minister's reference of a rate change proposal or other rate related matter to the OEB, the legislation provides that he may specify criteria or factors to guide the board in making its investigation, examination, and report. Within the scope of rate change proposals, the OEB holds public hearings, examines the information before it, and makes its report to the Minister and to Ontario Hydro. The Lieutenant-Governor in Council may also refer other matters relating to energy to the OEB for a public hearing and report.

#### LEGISLATION ADMINISTERED BY THE MEN

- Ministry of Energy Act,
- Ontario Energy Board Act,
- Ontario Energy Corporation Act,
- Power Corporation Act, and
- Rural Hydro-Electric Distribution Act.



## ENERGY SOURCES

Ontario's primary energy consumption by initial sources and per cent in 1976 were:\*

- petroleum - 40 per cent;
- natural gas (includes gas used in thermal generation of electricity)
- 24 per cent;
- coal - 15 per cent;
- hydro electricity - 13 per cent;
- nuclear - 6 per cent; and
- purchased electricity - 2 per cent.

Eighty per cent of the province's energy is imported. Almost all of the oil and 97 per cent of the natural gas come from western Canada. Most of the 16 million tons of coal used in 1976 came from the eastern USA.

Following is a discussion of the energy sources related to policies, programs, and legislation of the Ministry of Energy (MEn) and the Ministry of Natural Resources (MNR).

### PETROLEUM

Ontario's petroleum supplies are derived primarily from western Canada with a small volume of imported refined crude coming from Montreal. The MEn discusses oil prices with the federal and other provincial governments to rationalize the objectives of reasonable price and continuing supply.

The planning of petroleum resources by the MNR is accomplished through identifying oil and gas pools throughout southwestern Ontario plus areas of potential exploration. The Division of Mines corresponds with the

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\* The Financial Post, June 18, 1977, Third Section, p. 15.

Land Use Co-ordination Branch, Division of Lands, MNR; TEIGA; Ministry of Housing; and Ministry of Transportation and Communications in order to co-ordinate proposed planning of petroleum resources. Related to the Ministry of Housing, all proposed subdivision plans are examined by the MNR for the existence of oil or gas wells that would require plugging before Housing would approve such plans. In 1975, oil production decreased by 5 per cent to approximately 700,000 barrels. Gas production increased by 48 per cent to approximately 10.8 billion cu. ft., about 50 per cent of which came from Crown lands beneath Lake Erie.

The regional geologist of the MNR in London, for the Southwest Region, reviews most land use planning proposals submitted to the regional office. For example, proposed parks, conservation authority areas, and rezoning applications are reviewed regarding underlying oil and gas potential.

#### NATURAL GAS

Ontario accounts for almost 50 per cent of the Canadian end consumption of natural gas. Gas is supplied from Alberta by Trans Canada Pipelines under long-term contracts to Ontario's three prime distributors - Consumers Gas, Union Gas, and Northern and Central Gas (Ontario Division).

As previously mentioned, 97 per cent of the natural gas consumed in Ontario comes from Alberta. The MNR issues gas licences and leases on Crown lands in the Hudson and James Bay Lowlands. As of June 1, 1975, there were approximately 4.5 million ac. (1.8 million ha.) under disposition in the James Bay Lowlands\*. A geological study of the oil and gas potential in the James Bay Lowlands is being conducted by the MNR. Under the Mining Act, gas licences and leases are issued in Lake Erie. On December 31, 1975, 2.7 million ac. (1.1 million ha.) were under disposition. In 1975, approximately 5.4 billion cu. ft. of natural gas was produced from Lake Erie, accounting for 50 per cent of all the gas produced in Ontario during the year.

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\* Ontario Mineral Review 1975, p. 33.

Regulations under the Mining Act pertain to oil exploratory licences and leases on Crown lands in Lake Erie and the Hudson and James Bay Lowlands. The Petroleum Resources Act is used to administer the day-to-day activities of the oil and gas industry.

The MEn issued a comprehensive policy statement in September 1974 which reviewed the government's activities and goals regarding natural gas supply, demand, and price. Among the goals were:

- reasonable prices for both consumer and producer;
- adequate natural gas supplies now and in the future; and
- an efficient and rational natural gas supply, transportation, and distribution network.

## COAL

Ontario annually consumes about 18 million tons of coal of which 50 per cent is used for the generation of electricity and practically all the rest by industry. Almost all of Ontario's supply is imported from the USA, primarily West Virginia and Pennsylvania. In order to reduce this reliance on the USA and to improve Canadian coal self-sufficiency, the MEn has designed programs with Ontario Hydro to increase the movement of coal from western Canada and Nova Scotia to Ontario. The MEn and the Alberta government have discussed Alberta's coal policy. Financial and technical factors affect the use of western Canada's coal. The western coal could cost significantly more than the USA's coal. The western Canadian supplies have a lower sulphur content than imported coal and are thus more desirable environmentally. However, the western product has a considerably lower BTU/lb. rating that results in a lower output of generated electricity. Present generating stations could be upgraded by burning coal in conjunction with oil or gas.

Coal supplies in Northern Ontario are being assessed by the MNR through planning and contract tendering for road access and exploratory drilling of the Cretaceous Basin in the Hudson Bay Lowlands. The only proven source of coal in Ontario that can be considered potentially economic is the Onakawana lignite deposit between Cochrane and Moosonee. Consideration is being given by the MEn and Ontario Hydro to the construction of a generating station at Onakawana.

#### EXPLORATION REGULATIONS FOR PETROLEUM, NATURAL GAS, AND COAL

The MNR regulates exploration of these substances through boring permits. Such permits are valid for one year with the possibility of renewal for a second year for \$100. Boring permits allow prospecting on an area in Northern Ontario of up to one square mile (640 ac., 256 ha.). Three permits may be held at one time. Work valued at a minimum of \$2 per acre must be put into the licenced area to obtain a renewal.

When a quantity of petroleum or a similiar substance large enough to be worked commercially is found, the licensee may apply for a lease to be valid for 10 years. Options are available for one renewal of 10 years and a further renewal of 20 years, provided the mine or well is still in production. The minimum annual cost of such a lease is \$1.00 per acre.

In Southern Ontario, regulations for licencing or leasing public land for prospecting or producing petroleum, natural gas, coal, and similar substances are set according to circumstances by the Lieutenant-Governor in Council, on advice of the Minister of NR.

Exploration for petroleum and other minerals is sometimes permitted under authority of an exploratory licence of occupation issued by the Minister of NR for prespecting in Ontario's northern reaches, above the 51st parallel of latitude. This territory is, for the most part, north of the Albany River and the southern tip of James Bay.

## HYDRO ELECTRICITY

Ontario Hydro serves 352 municipal utility systems and their 2.7 million customers plus 100 direct industrial customers.\* Energy consumption in Ontario increased 7.9 per cent in 1976 to 90.9 million kilowatt hours, total production increased 9.4 per cent to 97.5 million kilowatt hours.

Hydro-electric power is the largest source of energy supplied in Ontario. Its importance has dropped considerably with the introduction of alternative power sources, most notably coal, natural gas, and nuclear energy. In 1961, hydro-electric sources supplied 80.0 per cent of the energy. This figure dropped in 1971 to 48.3 per cent and finally in 1975 to 39.4 per cent. Natural gas and nuclear energy have risen from nil in 1961 to 6.0 per cent for the former and 12.7 per cent for the latter in 1965. Coal accounted for 22.8 per cent in 1975.\*\*

In 1976, Ontario Hydro generated almost 84 per cent of the energy made available to municipal hydro boards and industrial customers. The remaining 16 per cent was purchased from other utilities. Hydro's 1976 energy consumption was as follows:

- Coal increased 11.3 per cent to 8.4 million tons.
- Oil increased 82 per cent to 4.5 million barrels (about 7 per cent of the provincial oil consumption) mainly because of a generating station at Lennox.
- Natural gas fell 15 per cent to 49.5 billion cu. ft., about 7 per cent of the provincial consumption total.

Hydro has an approved \$10 billion construction budget. This budget will be used to build three fossil fuel plants at Nanticoke (coal), Wesleyville (oil), and Thunder Bay extension (lignite), plus three nuclear plants - Bruce "A", Bruce "B", and Pickering "B".

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\* The Financial Post, op. cit., pp. 12 and 13.

\*\* Ontario Statistics 1976, p. 613.



In July 1977, the Ontario government also approved construction of the \$4-5 billion Darlington nuclear generating station at Newcastle. This station has been exempted by Cabinet from the law requiring Environmental Assessment Act hearings into major projects. The exemption was made to avoid further construction delays and expense since the project was planned before the 1975 Environmental Assessment Act took effect. However, the federal Atomic Energy Control Board must approve each stage before construction can begin.

The Spanish River Power Proposal is an example of a proposal designated for full assessment under the Environmental Assessment (EA) Act. INCO Limited is conducting a \$1.2 million feasibility study of further hydro electric generating development on the Spanish River. This study includes an environmental assessment document. INCO is the first company to request assessment under the EA Act for a project of this scope.

#### Royal Commission on Electric Power Planning\*

This Commission was formed in March, 1975. The four terms of reference are to:

- "examine the long-range electric power planning concepts of Ontario Hydro for the period 1983-93 and beyond and to report its findings and recommendations to the government, so that an approved framework can be decided upon for Ontario Hydro in planning and implementing the electrical power system in the best interests of the people of Ontario;
- inquire comprehensively into Ontario Hydro's long-range planning program in its relation to provincial planning; to domestic, commercial and industrial utilization of electrical energy; to environmental, energy and socio-economic factors, including but not

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\* 1st Report, Royal Commission on Electric Power Planning.

limited to matters such as electric load growth, systems reliability, management of heat discharged from generating stations, inter-connecting and power pooling with neighbouring utilities, export policy, economic investment policy, land use, general principles on the siting of generating stations and transmission corridors, efficient utilization of electrical energy and wise management (conservation) of primary energy resources, power generation technology, security of fuel supplies and operational considerations;

- deal primarily with the broader issues relating to electric power planning, and thus serve to alleviate the need for re-examination of these issues at subsequent hearings of other hearing bodies on specific details such as siting, rates, etc.; and
- consider and report on a priority basis on the need for a North Channel Generating Station, a second 500 k.V. line from Bruce, a 500 k.V. supply to Kitchener, a 500 k.V. line from Manticoke to London, and a 500 k.V. line in the Ottawa-Cornwall area, and other projects as may be directed by the Lieutenant-Governor in Council."

Dr. Arthur Porter is the chairman. There are four other appointed members plus a senior staff of six persons.

The Commission has had several issue papers written on various topics related to electric power planning. Issue Paper 5 concerns land use. During the Commission's public hearings, land use aspects of Hydro's proposals and the environmental implications are a major topic of discussion. See the selected bibliography of this report for the titles of these issue papers. The MEn has also made written submissions to the Commission on questions posed by the Commission.

Three stages used by the Commission are conceptualization (August-October 1976), debate (October 1976 - May 1977), and evaluation (June - October 1977). The Commission should finish its task by the end of 1977 whereupon the government will assess its findings.

## URANIUM

Ontario's uranium policy was released on March 26, 1974 as a joint report by the MEn and the MNR. This policy outlined uranium export controls that would provide protection of long-run uranium needs of Canadian utilities. These controls, derived by the MEn, Ontario Hydro, and the federal government, became effective on September 5, 1974.

Ontario Hydro is the largest provincial buyer of uranium and thus plays a major role in the development of an uranium policy that is re-assessed as circumstances change. The Ontario government authorized Hydro's involvement in nuclear power in the 1950s when Hydro signed an agreement with the Atomic Energy Control Limited (AECL) to operate the AECL Nuclear Power Demonstration Plant at Rolphton. Since then, Hydro has participated in the operation of the Douglas Point Generating Station and in the design, construction, operation, and ownership of the Pickering and Bruce nuclear generating stations. Likewise, construction of the Darlington generating station was approved by Cabinet in July, 1977.

In 1975, Ontario uranium shipments, partly from stockpiles, were 25 per cent higher than in 1974. Ontario's share of Canadian uranium shipments was about 85 per cent. Export contracts of about 53,000 short tons in 1975 were granted to Ontario producers. Deliveries under these contracts will occur over the next 17 years to Japan, the United Kingdom, and the USA. The four Ontario uranium producers are Agnew Lake Mines Limited, Espanola; Denison Mines Limited, Elliot Lake; Madawaska Mines Limited, Bancroft; and Rio Algom Limited, Quirke Mine, Elliot Lake.

## MINISTRY OF NATURAL RESOURCES (MNR)

In "Guidelines for Land Use Planning" the MNR outlines a number of questions which it considers should be answered for each type of land use. Regarding energy, these questions focus on the amount and kind of

energy which will be available over the next 30 years and the areas or natural resources which are critical to the achievement of the energy objective. For mining, questions relate to the provincial and regional benefits. Two divisions, namely, the Division of Lands and the Division of Mines, have programs related to mining. Following is a discussion of these programs.

The Division of Lands is responsible for policy and planning under the Mining Act, Public Lands Act, and Beach Protection Act. The rehabilitation programs of depleted pits and quarries on Crown land are monitored. A quarry permit index is maintained for Crown lands. Gravel deposits are preserved for the MNR and Transportation and Communications.

Programs of the Division of Mines most directly concerned with land use planning are compliance with Mining Act regulations and the administration and enforcement of the Pits and Quarries Act that regulates the siting, development, and rehabilitation of pits and quarries. Inputs are made to regional government planning through transportation and power corridor development studies.

The MNR works with other government ministries to encourage and regulate the orderly development of mineral resources. Public lands are generally open for staking as mining claims. However, there are exceptions such as roads, highways or provincial parks, cultivated land, cemeteries, town or village lots, sites of houses or public buildings, and land intended for resort or water power development. Records of lands not open for mining, as well as records of all claims, are filed with the mining recorder. This information is available to the public either free of charge, or in the case of some types of data, for a small fee.

Taxes on mining lands and mining rights are usually subject to a provincial tax known as an acreage tax. However, there are some exemptions, such as land being actively farmed and land in Southern

Ontario held for production of petroleum and natural gas. Tax rates per acre vary depending on whether land is within a municipally organized area - city, town, village, township municipality, or improvement district - or not.

Property on which taxes have been outstanding for several years is returned to the Crown if it is in territory not municipally organized. If property is within a municipally organized area, it is also subject to municipal taxes. When such are in arrears, the municipality may seize the property and sell it by auction at an advertised public tax sale. However, the original owner may reclaim land within a year after its sale by paying the tax and costs outstanding.

There are approximately 67,000 ac. (26,800 ha.) of land disturbed by mining activity and over 655,000 ac. (262,000 ha.) licenced for mining. The actual surface area involved in mining is less than one per cent of the province. However, the mining of mineral aggregates - sand, gravel, and crushed stone - in the Central Ontario Region, a TEIGA Region described in Chapter V, is very important to land use planning in Southern Ontario. Following are brief discussions of mining in Northern Ontario, mineral aggregates, and extractive land use conflicts and issues.

#### MINING IN NORTHERN ONTARIO

Major minerals found in Northern Ontario are gold, iron, copper-lead-zinc, nickel, and uranium. Mining developments are closely linked with transportation facilities, especially railways. The construction of the CPR led to the discovery and development of the world's major nickel source in the Sudbury basin; copper and platinum are also recovered. Thus Sudbury grew relative to the rich nickel-copper ores and to major rail lines.



Minerals contribute approximately 4.2 per cent of Ontario's Gross Provincial Product. Metal minerals, the majority of which are mined in Northern Ontario, contributed 84 per cent of minear1 production in 1975 with nickel and copper totalling 50 per cent.\*

The Mineral Exploration Assistance Program (MEAP) was expanded by the Ontario government in 1975 to include eastern Ontario. The 1975-76 MEAP budget was \$500,000. Two mines received assistance to commence production, namely, Tegren Goldfields at Kirkland Lake and Canodaka at Cobalt. Three promising prospects also received assistance - Wilmar at Red Lake, Martin - Bird near Larder Lake, and Barymin Explorations adjoining the Hollinger Ross mine in Hislop Township.

Increased mineral production in Northern Ontario and associated transportation and communication improvements greatly influence land use planning. In northwestern Ontario, the Ontario goverment is proceeding with the extension of a road north of Red Lake to North Spirit Lake and east to Pickle Lake. Improvements will be made to communications in remote areas of the Red Lake and Patricia mining divisions. NorOntair local air services are being expanded. A new bulk terminal was built in 1976 at Thunder Bay to transfer coal coming from western Canada.

A three-year program to aid mineral development and encourage exploration throughout Northern Ontario has been announced by the Ministries of Natural Resources and Northern Affairs. Funded by the Ministry of Northern Affairs, the \$2.5 million program will augment existing mineral development and exploration activities of the Geological Branch of the MNR which will administer the new program.

Among places to be surveyed under the program are the James Bay Lowlands and the New Liskeard, Thunder Bay, and Red Lake-Marshall Lake areas. Included in the program will be an engineering analysis of the results

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\* Canada Mineral Survey 1975, p. 17.

of surveys of 110,000 sq. mi. (286,000 sq. km.) of Northern Ontario terrain. The analysis will determine land capability in terms of potential for clay, sand, and gravel as well as organic materials. Land use planning will play an important role in the orderly development of new mineral resources discovered during the program.

Essential engineering and aggregate data will assist northern communities and regions in their land use planning programs by identifying likely transportation corridors, erosion-prone hazard lands, and drainage capabilities.

A number of other programs also have been initiated by the MNR to spur exploration activity. The Mineral Exploration Assistance Program was established in 1971 to encourage exploration in areas with depressed economics and favourable geology. The government contributes one-third of the cost of an approved exploration program up to a maximum contribution of \$33,333.33. To date, more than \$2 million have been spent on the program.

A joint federal-provincial Uranium Reconnaissance Program of airborne radiometric and regional geochemical surveys was initiated in 1975, covering about 25,000 sq. mi. (65,000 sq. km.) annually. These surveys will ultimately cover the entire province. Maps released so far have identified many new targets for industry investigation.

A three year mineral exploration incentives program in the Renfrew-Pembroke area was initiated in 1976 to renew industry's interest in the area by supplying information on basic geology and locating areas of high mineral potential.

#### MINERAL AGGREGATES\*

A conflict of land use exists in central Ontario between areas of scenic beauty and rich mineral aggregate deposits. Urban and industrial

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\* Based on a summary report by Proctor and Redfern Limited, Towards the Year 2000 - A Study of Mineral Aggregates in Central Ontario, 1974, 14 pp.

development greatly depends upon the availability of construction materials. Concrete, the material most rapidly increasing in use, is 90 per cent composed of aggregates. Restrictions on the supply of these building materials severely curtails their potential availability. For example, rapid urbanization and local restrictions have reduced many aggregate reserves to less than 10 per cent. In the past, municipalities have looked unfavourably at extraction operations in their official plans and zoning bylaws. Of the 160 rural municipalities studied, 90 per cent had restrictive bylaws.

The Pits and Quarries Control Act covers 267 townships in Ontario - 235 in Southern Ontario and 32 in Northern Ontario. Eventually, the entire province will be subject to this legislation. It requires the licencing of all extraction operations, imposes uniform regulations, and levies a security deposit for post extraction rehabilitation. Municipalities control the location of gravel pits and quarries in their planning jurisdictions. Within the Niagara Escarpment, a Pits and Quarries Restrictive Zone has been designated.

The Niagara Escarpment Planning and Development Act, administered by TEIGA, imposes surface mining limitations to preserve the natural environment by establishing a Development Control Area.

The removal of aggregate material from Crown lands is regulated by licence. In Northern Ontario, licences or permits for removal are issued by regional mining recorders. In Southern Ontario, the Lands Administration Branch of the MNR handles such transactions under the Mining Act and the Public Lands Act. Permits are valid for one year from date of issue. They are free of charge if material is for public roads or for private non-industrial, non-commercial use, and if less than 500 cu. yd. is required. Commercial users pay a licence fee of \$10 minimum or 25 per cents per acre, plus a royalty to the MNR for each cubic yard of material quarried or removed. A mining claim may be staked on the same ground for which a permit allowing sand and gravel removal has been issued because mining and sand and gravel removal are considered to be compatible activities.

### Ontario Mineral Aggregate Working Party

This working party was appointed by the provincial government in December 1975 to "investigate, report on and recommend a more effective and broadly acceptable Mineral Aggregate Management Policy" for Ontario. It is composed of provincial, municipal, conservation, and industry officials. The working party's report was published early in 1977 and recommends shared provincial/municipal control and regulation of the industry. The province would ensure uniform regulation of the unsightly appearance and other aggravating conditions associated with sand and gravel pits, stone quarries, and shale and clay workings; that the progressive rehabilitation of affected lands be encouraged and that their ultimate rehabilitation be enforced; and that funds be available for rehabilitation. Municipalities would be responsible for developing policies, to be expressed in their official plans, as to the location of pits and quarries. The working group cites this lack of municipal control as a major deficiency in the present mineral aggregate policy. It also recommends that provincial legislation dealing with this subject be rationalized in order to develop a workable policy. There are 64 recommendations.

The estimated inventory of the Central Ontario Region is in excess of 10.3 billion tons of gravel and 83 billion tons of crushed stone. However, after physical and legislative restrictions are considered, the potential available reserves are reduced to 1.9 billion tons for sand and gravel and 1.1 billion tons for crushed stone. Current demands for sand, gravel and stone in selected urban centres are as follows:

- Metro Toronto, 33 million tons per year;
- Ottawa-Carleton, 8 million tons;
- Sudbury, 4.5 million tons; and
- London, 4 million tons.

The total annual consumption of mineral aggregates in Ontario is about 50 million tons. About 50 per cent is required for road construction and road maintenance, 20 per cent for residential and non-residential construction, and 30 per cent for other services.

## MINERAL PRODUCTION IN COLUC

COLUC has 14 per cent of the 10.3 billion tons of reserve sand and gravel in central Ontario. It has 50 per cent of the crushed stone reserves. The per capita demand for aggregates is likely to double over the next 30 years. Much of the reserve is situated in concentrations of rural residences, thus land use conflicts exist. A policy recommended by the COLUC Task Force is that in areas where development is to occur over mineral deposits, sequential land use planning should be enacted. This would permit deposits to be extracted and sites rehabilitated prior to development.

## THE BEACH PROTECTION ACT

The Division of Lands administers this act. Any one who desires to remove sand or gravel from the bed, bank, beach, shore, or waters of any lake, river, or stream for commercial purposes is required to obtain a licence. Municipalities are exempted as are non-commercial uses by local residents under certain conditions.

Before a licence is issued, field investigations are made in liaison with the Ministry of the Environment, Transport Canada, and the field offices of the MNR to ensure that the removal of material will not contribute to erosion or cause ecological damage. During 1975, 24 licences were granted for the removal of sand and gravel from either beach or bed locations.

## LEGISLATION ADMINISTERED BY THE MNR

- Beach Protection Act,
- Beds of Navigable Waters Act,
- Conservation Authorities Act,
- Industrial and Mining Lands Compensation Act,
- Lakes and Rivers Improvement Act,
- Mining Act,



- Mining Tax Act,
- Petroleum Resources Act,
- Pits and Quarries Control Act, and
- Public Lands Act.

#### EXTRACTIVE LAND USE CONFLICTS AND ISSUES

Mineral exploration and extraction can conflict with various single use activities such as wilderness. Urban and country residential developments often cover over aggregate deposits, especially in Southern Ontario. Extractive operations often conflict with adjacent land uses because of noise, dust, traffic, and appearance. The development of neighbouring lands for non-extractive uses such as residential use may be inhibited if water supplies are reduced.

Such conflicts and issues are receiving attention from the Ontario government through the SLUP of the MNR. This program is attempting to reduce conflicts between mining and other land uses. Regarding aggregates, the MNR is stressing to other ministries and municipalities the high potential of aggregate deposit areas and the need for designating the extraction of such deposits. The recommendations of the Mineral Aggregate Working Party are being reviewed. Quarry rehabilitation policies following the completion of extraction have also been introduced by the provincial government.

The Mining and Metallurgical Section of the MOE began an exhaustive study in June 1977 to inventory all mines in Ontario, including vegetation sampling, physical and chemical analysis of all wastes, water testing, mapping, and field investigations. This study is 90 per cent complete with results to be published in December 1977. Funding has been through Provincial lottery funds, \$4.5 million (unlimited).

Supporting legislation is the Pits and Quarries Control Act, the Planning Act, and the Planning and Development Act. The Environmental Protection Act, the Environmental Assessment Act, and the Ontario Water Resources Act provide some environmental protection while the Niagara Escarpment Planning and Development Act helps to protect that particular area. Policies in official plans and public hearings of the OMB help resolve conflicts and issues.

*TRANSPORTATION AND COMMUNICATIONS*

MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (MTC)

There is a close interrelationship between changes in land use and transportation services. Transportation and land use affect the strategy of provincial growth plus the distribution of employment opportunities and housing. Therefore, the MTC assists regional municipalities in developing official plans. Each official plan has a transportation planning component. Each alternative land use concept must have a transportation system that is compatible with densities and distribution of population and employment.

The MTC makes the ultimate decision as to provincial transportation routes, alignments, design, construction, and maintenance procedures. Guidelines are used by the MTC for identifying and remedying environmental impacts at the planning design and construction stages of MTC projects. A multi disciplinary team approach is used to obtain relevant input from other ministries, agencies, organizations, and the public pertaining to complex planning and design studies. As mentioned in Chapter III, a Strategic Policy Secretariat was established on January 1, 1976. The responsibilities of this secretariat are found in Chapter III.

URBAN TRANSPORTATION

The jurisdictional powers and responsibilities over transportation tend to be divided according to modes of transport. The federal government has primary jurisdiction over air, rail, water, and pipeline modes and the provinces administer highways and urban transit systems.

One of the most dynamic processes in Canada today is the rapid growth of urban centres. The development of cheap, efficient, and energy conserving urban public transport systems is a major issue in most Canadian urban centres. The importance of efficient urban public transport systems to the quality of urban life is recognized by all levels of government.

On November 22, 1972, the Premier of Ontario announced an "Urban Transportation Policy for Ontario". This policy shifts the emphasis from urban expressways to public transportation systems and has a six point program as follows:

- subsidies of 75 per cent for the purchase by municipalities of buses, streetcars, and trolley buses, and related facilities;
- the development, at the provincial expense, of a prototype and operating demonstration of a new form of intermediate capacity transit systems, together with a subsidy program of 75 per cent, to assist municipalities in applying the system to meet their needs;
- subsidies for programs to alter demands for transportation at peak times, such as the encouragement of flexible working hours, to spread peak loads in major cities;
- subsidies of 50 per cent to urban areas for upgrading and expanding computer controlled traffic signal systems;
- continuation and expansion of studies in co-operation with municipalities in order to maximize the use of existing roadways through the study of such means as one-way streets, delivery, and parking policies; and
- an intensification of provincial efforts and resources devoted to the co-ordination of transportation planning among municipalities in Ontario.

In conjunction with this policy, the province established the Urban Transportation Development Corporation (UTDC) in June 1973. The roles of the UTCD are:

- to develop innovative transit equipment of greatly improved technical capacity; and
- to stimulate a major transit manufacturing industry in Canada through financing and encouraging a continuous advanced transit research and development program.

Along with the provincial Urban Transportation Policy, Ontario has a number of demonstration projects. Three of these are GO transit, GO trains, and Dial-a-Bus. GO transit is a combination of commuter rail service and integrated buses. It uses existing rail lines. The GO train is operated by the CNR for the provincial government. It serves COLUC, both east and west of Toronto. Dial-a-Bus began in 1970 as a feeder service for the GO train east of Toronto. Stratford, Kingston, Bramalea, and Ottawa have tested this mode of transportation.

#### LAND USE GROUP OF THE MTC

The four major projects of this group are outlined in Chapter III. The four projects are the right-of-way project, land use model, recreation data, and COLUC. The group also reviews land use allocation to large areas of the province for provincial planning purposes, assists Metropolitan Toronto in planning major road and transit routes, and reviews and comments on draft official plans throughout Ontario.

The MTC advocates the location of new transportation and other linear utility facilities (i.e. hydro lines and pipelines) in multiple use service corridors to minimize the impact of such facilities on other land uses. Examples are the Parkway Belt and the Nanticoke-Hamilton Corridor.



LEGISLATION

Legislation administered by the MTC includes the:

- Airports Act,
- Commuter Rail Act and the Toronto Area Transit Operating Authority Act,
- Ontario Northland Transportation Act, and
- Public Transportation and Highway Improvement Act.

## XII

### *WATER*

Water is a distinctive physical characteristic of Ontario. The Great Lakes shoreline is 2,363 mi. (3,779 km.) long and Ontario's share of these Lakes is 33,000 sq. mi. (85,800 sq. km.). The Hudsons Bay and James Bay shorelines are 680 mi. (1,088 km.) in length. Fresh water lakes number about 250,000 and cover about 35,000 sq. mi. (91,000 sq. km.)

Policies, programs, and legislation related to Ontario's water resources are administered by six ministries. The ministries are Environment, Natural Resources, Agriculture and Food, TEIGA, Industry and Tourism, and Health. The Hydro-Electric Power Commission, under the Power Commission Act, influences the production and distribution of electric power, including water power. Great Lakes water management and the Flood Damage Reduction Program are also discussed.

#### MINISTRY OF THE ENVIRONMENT (MOE)

##### WATER RESOURCES BRANCH

The Planning and Co-ordination Section of the Water Resources Branch provides technical assistance in the incorporation of pollution control objectives into land use plans. Under the Water Resources Impact Assessment program, specialized technical advice is provided in such areas as aquatic environmental impact of marine construction, municipal and industrial wastewater disposal, and heated wastewater discharges. Technical support staff in the regional MOE offices often provide information on the availability of ground and surface water to support development.

## ENVIRONMENT APPROVALS BRANCH

This branch has the following responsibilities, it:

- ensures that environmental safeguards are incorporated into MOE land use policies and programs;
- reviews and approves applications to the MOE required under the Environmental Protection Act and the Ontario Water Resources Act;
- develops guidelines for acceptable industrial, municipal, and private waste disposal systems; and
- evaluates conceptual planning stage activities of other ministries, utilities and projects funded by the government, and related activities of the private sector, which will have significant environmental impact.

Under the Environmental Protection Act and the Ontario Water Resources Act, the MOE legislates criteria found in its publication "Guidelines and Criteria for Water Quality Management in Ontario". Environmental impacts of such projects as highways, reservoirs, dams, mineral aggregate pits, and electric power transmission line crossings on water quality are examined for compliance under "Guidelines ... Ontario". The Environmental Hearing Board conducts public hearings related to comprehensive water management studies. Environmental assessments are also made under the Environmental Assessment Act. Land and water use planning is accomplished by the MOE through comments and recommendations related to Design for Development, the Planning Act, and the Planning and Development Act.

The Land Use Co-ordination and Special Studies Section of the Environmental Approvals Branch has two main objectives:

- to ensure that environmental safeguards are incorporated into land use policies and programs of all levels of government and the private sector; and

- to assess environmental management policy alternatives on the basis of constraints by Ontario's socio-economic systems, taking competing government objectives into account.

These objectives are achieved through advisory, co-ordination, and research functions. Advice is provided to all levels of government and the private sector on environmental matters related to land use planning. Co-ordination is provided for MOE responses to referrals on Official Plans, amendments thereto, subdivision plans, zoning bylaws, and general land use issues. Research relates to environmental matters affecting land use and economic matters related to the environment or pollution control.

A land use planning handbook assists MOE staff in reviewing land use proposals.

## LEGISLATION

Acts Administered by the MOE pertaining to water include are the:

- Act to Control the Use of Pesticides,
- Environmental Assessment Act,
- Environmental Pollution Act,
- Ministry of the Environment Act,
- Ontario Water Resources Act, and
- Pesticides Act.

## MINISTRY OF NATURAL RESOURCES (MNR)

The MNR is concerned with administering, protecting, and conserving public land and water. The construction of improvements on lakes and rivers is regulated by the MNR. It is necessary to obtain MNR approval before building a dam or diverting or altering any lake, pond, river, or stream, whether on public or privately owned land. Before authorizing dams, diversions, and similar works, the MNR ensures that

the location and design will minimize flood risks or other damage to public or private lands, that the downstream flow of water will not be greatly reduced, and that lake levels will be regulated satisfactorily. There must be a minimization of any potentially destructive effects on fish, wildlife, and other natural resources dependent on water.

The Division of Fish and Wildlife provides recreational opportunities based on fish and wildlife, surveys lakes for fish potential, operates fish hatcheries, conducts water quality studies, and manages waterfowl.

The Division of Parks plans, develops, and manages the land and water resource of provincial parks including recreational uses such as canoe routes.

The Division of Lands manages public lands, under the Public Lands Act, and associated waters to enhance public use. It administers the Beach Protection Act to licence removals of sand and gravel. It also co-ordinates the MNR land use planning under the SLUP and approves plans for dams in advance of construction. The Conservation Authorities Branch co-ordinates assistance to conservation authorities which develop and manage renewable resources on a watershed basis.

The Division of Mines regulates the diversion of water and water pollution resulting from mining operations under the Mining Act.

Legislation administered by the MNR related to water use includes the:

- Beach Protection Act,
- Beds of Navigable Waters Act,
- Conservation Authorities Act,
- Game and Fish Act,
- Lac Seul Conservation Act,
- Lake of the Woods Control Board Act,
- Lakes and Rivers Improvement Act;
- Mining Act,
- Public Lands Act, and
- Seine River Diversion Act.



### MINISTRY OF AGRICULTURE AND FOOD (MAF)

The MAF provides certain municipalities with financial assistance which is beyond that available in the Drainage Act for agricultural outlet ditches. The MAF co-ordinates land use and development under ARDA.

### TEIGA

TEIGA administers grants under the Drainage Act, the approval of planning areas under the Planning Act, and the Wharfs and Harbours Act. It also has powers affecting water under the Public Parks Act and the Public Utilities Act.

### MINISTRY OF INDUSTRY AND TOURISM (MIT)

The MIT provides recreational development assistance, for example, marina operations. The Tourism Act extends to the use of water in or by tourist facilities.

### MINISTRY OF HEALTH (MH)

Under the Public Health Act, the MH establishes medical officers of health who can prevent the use of polluted beaches and who can regulate health aspects of sewage treatment in rural areas.

### GREAT LAKES WATER MANAGEMENT

Water management of the Great Lakes involves provincial, federal, and international studies and programs. Land use oriented issues involve the rapid urbanization of Southern Ontario and related increases in waste loading into the Great Lakes system. Recreational demands along the Lakes Erie and Ontario shorelines are rising annually. There are continuous conflicts between pollution-intensive and quality-sensitive water uses. Such problems are more complex since the Great Lakes are shared with the USA.

Two agreements affecting water management policies and strategies are the Canada-Ontario Agreement on the Lower Great Lakes and the Canada-US Great Lakes Water Quality Agreement. Regarding this later agreement, the Pollution from Land Use Activities Reference Group (PLUARG) was formed to survey selected watersheds to determine the source of certain pollutants, their significance, and the adequacy of present control measures regulating the entry of pollutants into the Great Lakes systems. Base networks for monitoring streamflow and water quality have been established at 65 stations.

An international study is the Regulation of Great Lakes Water Levels. Regarding this study, on July 15, 1977, the International Joint Commission (IJC) announced the establishment of two boards. One board will study the possibilities of improving the management of levels and flows in Lake Erie. The other board will examine the effects of proposed diversions of water in and out of the Great Lakes systems.\*

#### FLOOD DAMAGE REDUCTION PROGRAM\*\*

On April 10, 1975, a new federal approach to reducing the costs of flood damage was announced by Environment Canada. A co-ordinated federal-provincial approach to floods under the Canada Water Act was proposed based on the following principles:

- flood-risk areas must be clearly defined and mapped;
- information on flood hazards must be communicated to the public, industry, and municipalities;
- construction of federal facilities, federal housing loans, and other grants and loans should not be allowed in flood risk areas or should be made conditional upon adequate flood proofing or other damage-reduction measures;

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\* Canada Water Yearbook 1975, pp. 197-198.

\*\* Canada Water Yearbook 1976, p. 90.

- disaster assistance should be refused for further development in identified high flood risk areas where the public has been made fully aware of the hazard; and
- provinces and municipalities should be encouraged to consider appropriate restrictions on land use in high flood risk areas.

To put these principles into practice, the federal government is negotiating agreements with each province.

A flood risk mapping program is being developed in order to identify flood risk areas and to prevent further developments in such areas. Nationally, the federal-provincial mapping programs are expected to cost \$20 million over five years. Six joint federal-provincial pilot mapping projects have already been undertaken in New Brunswick, Manitoba, Ontario, Quebec, and Saskatchewan. The Ontario communities involved are Oshawa and Sault Ste. Marie.

Since the early 1960s, the Conservation Authorities Branch of the MNR has undertaken a program of floodline mapping so as to influence subdivision planning decisions in flood vulnerable areas. This program is conducted in co-operation with municipalities that are located within conservation authorities.

*CONCLUSIONS AND COMMENTS*

Land use policy and planning in Ontario has evolved out of the growth and development of an urban-industrial society. To plan for this society, the province has developed a regulatory system of controls embodied in legislation and administered by numerous ministries and agencies. There is an extensive and complex legislative and administrative process affecting land use policies, programs, and planning in Ontario. Thus administrative responsibility for land use issues rests with municipalities and respective ministries. Provincial co-ordination of land use issues is accomplished through an overview of municipal, regional, and provincial interests which are implemented through the Official Plan and zoning bylaw approval process. The present review of the Planning Act Review Committee Report by the government could result in significant changes in Ontario's planning processes.

In recent years, there has been a shift in social and community values. There is a growing consciousness of the natural environment and concern with natural environmental consequences of urban development. The public relates to the preservation of agricultural land and the treatment of rural land as a natural resource rather than as a resource for urban use. There has been a growth in public participation in planning decisions and concerns over energy consumption related to urban expansion. The public is also demanding increased access to recreational lands and the rehabilitation of mined and quarried lands.

Land use planning in Ontario is a topic of concern to many provincial residents. Various land uses are being evaluated by the government,

one against the other. The Land Use Committee of the Resources Secretariat was established in 1977 to aid in land use decisions and trade-offs. Numerous 'groups' have been established to consider the planning of resources and implications for land use planning. Such 'groups' include the Ontario Mineral Aggregate Working Party, the Royal Commission on Electric Power Planning, and the Planning Act Review Committee. The Strategic Land Use Plan of the Ministry of Natural Resources will likely be presented to Cabinet in 1977.

Land use planning in Ontario is in a period of rapid evolution and change. The present stage of evolution closely mirrors the level of economic development. Economic development has reached a stage where comprehensive planning is obligatory. Ontario is a study of the transition from a society where land was plentiful and could accommodate all uses without major conflicts, to the stage where conflicting demands are starting to impinge on one another and having to be reconciled in a rational framework. The Ontario government is reviewing planning techniques for orderly growth and development, not only in existing urban centres, but also related to agricultural, energy, forest, recreational, wildlife, and other land uses outside the urban centres. The challenge is to keep abreast of land use issues and to provide complimentary land use planning processes which will consider economic, environmental, and social consequences.



## APPENDIX 1

### The Tax

A tax of 50 per cent on the increase in value of designated land between April 9, 1974 and the date of sale:

- Designated land includes all real property situated in Ontario except a Canadian resource property.
- The acquisition cost is the fair market value of the property on April 9, 1974 if owned at that time, or the actual cost if acquired thereafter.
- The increase in value is calculated as the difference between the proceeds of disposition and the acquisition cost of the property less eligible deductions.

### Exempt Transactions

The following dispositions will not be subject to the land speculation tax:

- Disposition of the principal residence not exceeding 10 ac. (4 ha.) of land.
- Disposition of the principal recreational property not exceeding 20 ac. (8 ha.) of land where the purchaser is a Canadian resident.

- Disposition of property where the vendor has complied with a subdivision agreement entered into with a municipality and has constructed residential or commercial premises, where the value of such premises is not less than 40 per cent of the proceeds of disposition.
- Disposition of property where the vendor has purchased vacant land and has constructed residential or commercial premises and the value of such premises is not less than 40 per cent of the proceeds of the disposition.
- Disposition of a property where the vendor has renovated the premises and made capital expenditures of not less than 20 per cent of his/her acquisition cost.
- Disposition of a family farm to another member of the family where the use is continued in farming.
- Disposition of a property used predominantly for commercial or industrial purposes, including tourist establishments.
- Disposition of a property to the government of Ontario, the federal government, a municipality, or any agency thereof, by way of purchase or through expropriation pursuant to statutory authority.

### Corporations

Where designated land forms more than 50 per cent of the assets of a corporation, any direct or indirect transfer of a controlling interest in such a corporation will be considered a disposition of designated land:

- This provision does not apply to farming corporations where shares are transferred within the family and the land continues in farm use.

- Where a corporation disposes of land to its shareholders in the course of winding up, such a disposition is exempt but the shareholders acquire the land at the acquisition cost of the corporation.

### Eligible Deductions

Eligible deductions may be claimed in calculating the amount upon which the tax is levied. The following may be deducted in respect of expenditures incurred after April 9, 1974.

- Capital improvements costs.
- All other costs not to exceed a maximum of 10 per cent of the acquisition cost for each year the land is held after April 9, 1974.

### Family Farms and Farming Corporations

Family farm property will be exempt from the land speculation tax while it remains in the family and is used for farming purposes:

- The property will have a deemed acquisition cost of the fair market value on April 9, 1974 when owned by the family on that date, or the actual cost to the first member of the family who purchases it after April 9, 1974.
- When the family farm property is disposed of outside the family, in computing the amount upon which the tax is based, in addition to the eligible deductions, the vendor may claim a farming deduction. This deduction is an amount equal to 10 per cent of the acquisition cost compounded for each year the property remains in the family and is used for farming.

### Statutory Lien

The land speculation tax will be administered by the Minister of Revenue:

- Under the Act, a statutory lien will attach to designated land when it is disposed of, unless the transaction is exempt, and will be a first charge in priority to others.

This tax will become effective for all dispositions made after April 9, 1974.

### THE LAND TRANSFER TAX ACT

- Changes to the land transfer tax became effective at 12.01 a.m., April 10, 1974.
- Non-residents of Canada will be required to pay a flat rate of 20 per cent on land purchases. Canadian residents will continue to pay land transfer tax at the existing rates of 3/10 of 1 per cent on the first \$35,000 and 6/10 of 1 per cent on the excess.
- A Canadian resident is any individual who is a Canadian citizen or landed immigrant and who is ordinarily resident in Canada.
- A non-resident will include any foreign incorporated or controlled corporation, association, partnership, syndicate or trust, and any person who is not a Canadian resident.
- After April 9, 1974 all purchasers of land, in addition to the land transfer tax affidavit, must complete an affidavit of residency.
- During the period between April 9, 1974 and the date the changes come into force, a lien for the additional amount of the tax will apply in the case of non-resident purchasers. If the tax is not paid by the non-resident, the lien will be enforced. After the changes come into force, the transfer will not be registered unless the tax is paid.

- Penalty provisions for false affidavits will be provided.
- A review procedure under the Ministry of Revenue will be established to authorize rebates or deferrals of the additional tax paid by non-residents where appropriate.
- Where a non-resident acquires control of a corporation which owns land in Ontario, this will be deemed to be a transfer of land and the tax will apply.



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